

THOMAS P. SMITH, JR.
ACTING REGIONAL DIRECTOR
Michael D. Paley
Kevin P. McGrath
Thomas W. Peirce*
Attorneys for Plaintiff
SECURITIES AND EXCHANGE COMMISSION
New York Regional Office
100 Pearl Street, Suite 20-100
New York, New York 10004-2616
212-336-0533
Email: mcgrathk@sec.gov

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

**SECURITIES AND EXCHANGE
COMMISSION,**

Plaintiff,

-against-

**STEVEN M. GALLAGHER, a/k/a “Alexander
Delarge 655321,”**

Defendant.

**SECOND AMENDED
COMPLAINT**

21 Civ. 8739 (PKC)(GWG)

ECF Case

JURY TRIAL DEMANDED

Plaintiff Securities and Exchange Commission (“Commission”), for its Second Amended Complaint against Defendant Steven M. Gallagher (“Gallagher” or “Defendant”), alleges as follows:

SUMMARY

1. The Commission filed its Complaint in this matter on October 26, 2021 to halt Defendant’s ongoing violations of the federal securities laws.
2. Simultaneous with the filing of its Complaint, and to prevent continuing harm to investors, the Commission filed an Ex Parte Emergency Application for an Order to Show Cause

and Temporary Restraining Order Enjoining Defendant from Continuing Violations of the Securities Laws, Freezing His Assets and Granting Other Relief (“Emergency Application”).

3. On October 26, 2021, the Court granted the Commission’s Emergency Application in its entirety, including entering a temporary restraining order freezing up to \$6.9 million in Gallagher’s assets and restraining Gallagher from ongoing and future violations of the securities laws with which he was charged in the Complaint.

4. On November 30, 2021, the Court entered a Preliminary Injunction Order, on consent of the parties, preliminarily enjoining Gallagher from any ongoing and future violations of the securities laws with which he was charged in that Complaint and freezing Gallagher’s assets up to \$6.9 million pending a final disposition of this case, among other relief.

5. On October 26, 2021, the same day the Commission filed the initial Complaint in this case, Gallagher was arrested in connection with a criminal Complaint filed by the U.S. Attorney’s Office for the Southern District of New York. On February 25, 2022, Gallagher pled guilty in the United States District Court for the Southern District of New York to a criminal Information that charged him with one count of using a manipulative and deceptive device and contrivance in connection with the purchase or sale of securities, in violation of Title 17, United States Code, Sections 78j(b) and 78ff; Title 17, Code of Federal Regulations, Section 240.10b-5; and Title 18, United States Code, Section 2.

6. The Information to which Gallagher pled guilty charged that he used Twitter to misrepresent the nature of his personal financial stake in the securities of SpectraScience Inc. (“SCIE”), in order to induce others to purchase SCIE stock, and thereby drive up the stock’s price, while Gallagher simultaneously and secretly sold his own previously acquired shares at an artificially inflated price. Gallagher was sentenced on June 27, 2022 to a term of imprisonment

of time-served; three years of supervised release, with the first six months to be served under house arrest; a \$10,000.00 fine and \$100.00 special assessment fee; and ordered to forfeit \$21,716.00.

7. As set forth in more detail below, since at least December 2019 and continuing to at least October 2021, Gallagher used his Twitter platform to promote and encourage the purchase of dozens of specific microcap stocks, while simultaneously selling his own shares and not disclosing that fact (a practice known as “scalping”).

8. Scalping is a scheme or artifice to defraud in which a defendant (i) acquires shares of a stock; (ii) recommends that others purchase the stock without disclosing his intention to sell; and (iii) subsequently sells the stock for his own benefit.

9. As part of his scalping scheme, Gallagher also, on some occasions, disseminated false and/or misleading information about the promoted issuers, or falsely stated that he was not selling the stock that he was concurrently recommending that his Twitter followers and others who read his tweets buy. For at least two issuers, Gallagher also engaged in multiple instances of manipulative trading by placing multiple buy orders at the end of the trading day to raise the stocks’ price (“marking the close”) with the intent to mislead the public about the trajectory of the stocks’ price and induce others to buy the stocks. “Marking the close” is the term used to describe the practice of buying or selling stocks near the close of trading to affect the closing price.

10. Gallagher engaged in scalping in connection with the stock of at least 59 issuers identified to date (as summarized in the chart contained in Attachment A to this Second Amended Complaint and incorporated by reference herein) and generated at least \$3,177,000 in net trading profits from the sale of securities of the 59 issuers over the analyzed period of his

fraudulent and manipulated scheme.¹

11. Gallagher's touts via public tweets and private direct messages (commonly referred to as "DMs") encouraged his followers and readers to buy shares in specific issuers while not disclosing that Gallagher was selling, or would be imminently selling, shares in those very same issuers. For example, on January 25, 2021, Gallagher tweeted, "\$hdii you'll want to load!" In this tweet, Gallagher was telling his followers and readers to buy ("load") securities of the issuer Hypertension Diagnostics, Inc. ("HDII"). Yet despite Gallagher's encouragement to his followers and readers to buy HDII, Gallagher sold hundreds of thousands of shares of HDII that same day.

12. In addition, despite repeated, written warnings from his brokerage firm ("Broker A") that he appeared to be engaged in manipulative trading in violation of securities laws and regulations, Gallagher continued to engage in manipulative trading and scalping. On September 9, 2021, Broker A informed Gallagher that it was closing his trading account effective October 9, 2021, and that it would immediately prevent him from making new stock purchases, restrict his account to just liquidating transactions, and not allow him to open a new account in the future.

13. Despite these warnings and termination, Gallagher continued to engage in scalping through sales of stock he already held in his Broker A account. In addition, on the very day that Broker A told Gallagher it was shutting down his account, Gallagher opened a trading account at Broker B, indicating that he intended to use the account for "active/day trading." As

¹ The "net profits" identified in Attachment A represent Gallagher's net trading profits from when he first started buying a stock to when he last sold it. They are based on evidence currently known to the Commission; the Commission's investigation is ongoing and, as a result, the "net profits" include certain gains and certain losses that may not ultimately be factored into the final disgorgement calculation. Additional illegal trades may also be identified as the case proceeds. For these and other reasons, the "net profits" do not represent the precise amount of disgorgement the Commission will seek after discovery is complete in this case.

of October 14, 2021, that account had approximately 40 penny stocks in it, with a market value of approximately \$1 million, and Gallagher continued to engage in scalping stocks in that account through at least October 13, 2021, undeterred by the prior warnings from Broker A.

14. Simultaneous with the filing of the Complaint, the Commission established a victims email box and asked all persons who believed that they may be victims of Gallagher and his @AlexDelarge6553 twitter account to submit an email to the Commission staff at AlexDelarge6553Victims@SEC.GOV.

15. The AlexDelarge6553Victims email box has received emails from over sixty investors. Commission staff has interviewed a number of these investors and the interview process is ongoing.

16. The victims interviewed to date include novice, retail investors, including active duty and retired military personnel, persons on limited incomes and of moderate means, elderly persons and persons with health concerns who are on disability. The victims identified fifty-four issuers they invested in based on tweets and recommendations of @AlexDelarge6553, including certain issuers Gallagher is charged with scalping herein.

17. Gallagher's victims believed the plain meaning of Gallagher's tweets: that Gallagher was buying the shares of the issuers he recommended, was holding his shares in issuers he represented he was holding, and was not selling his shares when he was telling his followers they should buy shares in the same company.

18. Gallagher's failure to disclose that he was selling shares while encouraging his Twitter followers and readers to buy those shares was integral to his scalping scheme, was a material omission, and harmed numerous investors.

19. As reflected in the victim interview summaries below, victims reasonably relied

upon Gallagher's advice because he portrayed himself as an experienced trader willing to help others benefit from his knowledge, and they reasonably trusted Gallagher based on the content of his tweets that said he wanted to raise money to fight cancer and to help people make money.

20. The fact that Gallagher was selling shares shortly after he was telling his followers and readers to buy shares in the same company and, at times, going one step further and falsely reassuring his followers that he was holding such shares and not selling them, was material information that his followers, and any other reasonable investor, would have wanted to know before making a decision whether to buy the shares Gallagher was recommending.

21. Gallagher did not disclose this material information to his followers and readers.

22. The Commission seeks: (1) a permanent injunction enjoining Gallagher from ongoing and future violations of the federal securities laws and rules this Second Amended Complaint alleges he has violated; (2) disgorgement of Gallagher's ill-gotten gains and prejudgment interest thereon; (3) imposition of a civil money penalty; and (4) imposition of a penny stock bar.

VIOLATIONS

23. By virtue of the foregoing conduct and as alleged further herein, Gallagher's fraudulent and manipulative conduct violated Section 17(a) of the Securities Act of 1933 ("Securities Act") [15 U.S.C. § 77q(a)]; Section 9(a)(2) of the Securities Exchange Act of 1934 ("Exchange Act") [15 U.S.C. § 78i(a)(2)] and Section 10(b) [15 U.S.C. § 78j(b)] of the Exchange Act and Rule 10b-5 [17 C.F.R. § 240.10b-5] thereunder.

24. Unless Gallagher is restrained and enjoined, he will engage in the acts, practices, transactions, and courses of business set forth in this Second Amended Complaint or in acts, practices, transactions, and courses of business of similar type and object.

NATURE OF THE PROCEEDINGS AND RELIEF SOUGHT

25. The Commission brings this action pursuant to the authority conferred upon it by Securities Act Sections 20(b) and 20(d) [15 U.S.C. §§ 77t(b) and 77t(d)] and Exchange Act Section 21(d) [15 U.S.C. § 78u(d)].

26. The Commission seeks a final judgment: (a) permanently enjoining Gallagher from violating the federal securities laws this Second Amended Complaint alleges he has violated; (b) ordering Gallagher to disgorge all ill-gotten gains and/or unjust enrichment he has received as a result of the violations alleged herein and to pay prejudgment interest thereon, pursuant to Exchange Act Sections 21(d)(5) and 21(d)(7) [15 U.S.C. §§ 78u(d)(5) and 78u(d)(7)]; (c) ordering Gallagher to pay civil money penalties pursuant to Securities Act Section 20(d) [15 U.S.C. § 77t(d)] and Exchange Act Section 21(d)(3) [15 U.S.C. § 78u(d)(3)]; (d) permanently prohibiting Gallagher from participating in any offering of a penny stock, pursuant to Securities Act Section 20(g) [15 U.S.C. § 77t(g)] and Exchange Act Section 21(d)(6) [15 U.S.C. § 78u(d)(6)]; and (e) ordering any other and further relief the Court may deem just and proper.

JURISDICTION AND VENUE

27. This Court has jurisdiction over this action pursuant to Securities Act Section 22(a) [15 U.S.C. § 77v(a)] and Exchange Act Section 27 [15 U.S.C. § 78aa].

28. Defendant, directly and indirectly, has made use of the means or instrumentalities of interstate commerce or of the mails in connection with the transactions, acts, practices, and courses of business alleged herein.

29. Venue lies in this District under Securities Act Section 22(a) [15 U.S.C. § 77v(a)] and Exchange Act Section 27 [15 U.S.C. § 78aa]. Defendant transacted business in the Southern

District of New York, and certain of the acts, practices, transactions, and courses of business alleged in this Second Amended Complaint occurred within this District. For example, the Depository Trust & Clearing Corporation (“DTCC”), which clears all securities traded by the Defendant, is based in this District and various trades executed by the Defendant were cleared, in whole or in part, through DTCC computers located in this District.

DEFENDANT

30. **Gallagher**, age 51, resides in Maumee, Ohio. Between at least September 2019 and continuing until at least October 2021, he controlled a Twitter account in the name of “Alexander Delarge 655321”, with the handle @AlexDelarge6553, that he used primarily to promote microcap securities. Under the @AlexDelarge6553 handle, Gallagher has tweeted screenshots of portions of his brokerage records that, in fact, match Gallagher’s brokerage records. Gallagher had over 70,000 Twitter followers as of October 2021 and an undetermined number of persons who read his tweets.

FACTS

I. SUMMARY OF GALLAGHER’S SCALPING SCHEME

31. As alleged below, from at least December 2019 and continuing until at least October 2021, Gallagher engaged in a fraudulent scheme to promote and manipulate primarily OTC quoted and traded securities,² using his Twitter account with the handle @AlexDelarge6553, by encouraging investors to buy specific securities (the “Target Securities”), while at the same time — contrary to his advice to his tens of thousands of Twitter followers, as well as to the viewing public who read his Twitter posts — selling his own holdings

² OTC securities refers to securities quoted and traded on OTC Link, owned by OTC Markets Group Inc. Most of the Target Securities are what are commonly referred to as “penny stocks,” which typically trade over OTC Link for fractions of a penny per share.

of those securities into the inflated price and liquidity that his tweets helped create.

32. Gallagher often initially communicated by private direct messaging (“DMs”) on Twitter with a small, select group of other Twitter users (“Associates”) about potential issuers to manipulate, choosing issuers that had: a large public float, i.e., a large quantity of shares on the public market; and a low price per share (generally, a fraction of a cent).

33. Gallagher typically acquired millions of shares of a Target Security in advance of his promotional campaign — a practice he referred to as “loading” (also commonly known as “frontloading”). He also often reached an agreement with select associates on a date and time when they would start publicly tweeting a message telling his followers and public viewers to buy the Target Security.

34. Gallagher referred to the public signal to begin buying as the “Alert.” For example, Gallagher told an associate in a DM on November 28, 2020 “afom [the OTC ticker symbol for All for One Media Corp.] try not to push that so i can load for a latter alert next week.”³ Gallagher evidently was asking his associate not to encourage (“push”) others to buy AFOM, which would raise the stock price, before Gallagher could purchase (“load”) AFOM shares at a lower price before he issued his Alert that was intended to encourage others to buy the stock thereby raising its price before he then sold his shares.

35. And, on November 30, Gallagher sent a DM to another associate: “im alert afom tomorrow thatll be the big run. im quiet with it now loading dips.” Gallagher’s reference to “loading dips” evidently means that he was buying (loading) shares of AFOM when the stock drops (dips) in price, prior to sending buy Alerts to his Twitter followers and readers.

³ Gallagher’s DMs and tweets, which often contain typographical and grammatical errors, are quoted verbatim herein.

36. Gallagher’s statement: “im alert afom tomorrow thatll be the big run” indicates that Gallagher intended that his Alert to his followers and readers to buy AFOM would cause the stock’s price to rise (“the big run”).

37. Gallagher bought 20 million shares of AFOM on November 30 and tweeted a flashing red Alert when the market opened on the morning of December 1, 2020. The Alert had a flashing red graphic “ALERT!!!! ALEXANDER DELARGE” and stated: “Challenge alert!! \$afom this runs like no other!! Load and hold this is a swing multiple pennies fast!! Buy \$afom 500% runner today”. “Runner” evidently means the stock will rise sharply in value. That same morning, after his Alert, Gallagher sold 13 million shares of AFOM for an approximate profit of \$42,000.

38. In many instances, after Gallagher had loaded up on shares of the Target Security — but before the Alert — he privately informed a small number of Twitter users in select stock private chat rooms that they should start acquiring shares in the Target Security because his Alert was imminent.

39. Gallagher alluded to this tactic in DMs with an associate prior to Gallagher’s promotion of the penny stock Life on Earth, Inc. (OTC ticker: “LFER”), as follows: “im in 30 rooms ill let one at a time know and build slowly . . . ok end of day ill gather groups throughout the day . . . oh we will rock this easy” and “MOVING THIS GOOD TELLING PEOPLE IN DMS . . . Ok ive gotten 100s of buyers . . . im gonna alert to the masses you cool with that . . . WE A GOOD TEAM BUDDY”.

40. Giving select associates and members of private chat rooms a heads up to start buying the Target Security before Gallagher’s public Alert often increased the volume of trading and created an upward looking trend in the Target Security’s price, making the stock look more

attractive to Gallagher’s intended victims when he would issue his public Alert.

41. The Alerts varied, but typically were accompanied by a GIF (short for Graphics Interchange Format, which is a short animated video clip) of a flashing red “ALERT!!!!” or occasionally, a siren. At other times, Gallagher built up to these red Alerts through a series of soft alerts, such as adding the issuer to a ranked list of his weekly stock picks. The red Alerts were often posted just prior to, or during, his sale of shares. The following is an example of a red Alert:

[\\$scie!](#) Challenge buy Alert trips to pennies hold and we all win big! The next [\\$enzc](#) watch it happen



42. “Trips” appears to refer to a price per share of \$0.0009 or less. In this tweet, Gallagher was apparently telling his followers and public viewers to buy shares of SCIE so that their coordinated purchases will move SCIE’s price per share from a thousandth of a cent to “pennies” per share, resulting in a profit.

43. Following Gallagher’s public Alert on Twitter — and after the momentum generated by the purchasing activity of Gallagher, his select associates and private chat room members — as the share price and trading volume of the Target Security began to increase, Gallagher began to sell his shares of the Target Security.

44. The Alerts were often followed by numerous additional tweets or retweets by Gallagher stating or implying that the Target Security was a buy (and/or hold) opportunity. A retweet consisted of Gallagher forwarding a stock recommendation tweet from another person to his Twitter followers and public viewers, often with added commentary by Gallagher either implicitly or explicitly endorsing the original tweet. Gallagher often retweeted tweets from his associates, with whom he had coordinated in DMs.

45. Gallagher's tweets and retweets varied but at times included false information about the issuer of the Target Security — such as publishing false and/or misleading tweets about a pending merger of LFER; false information that he was not selling (e.g. tweeting: “\$tsnp . . . Not selling!” — minutes before selling shares in the referenced Target Security [TSNP]; or falsely claiming that he did not benefit from sending his buy Alerts (e.g., tweeting, falsely, in reply to two Twitter users: “Never have I alerted a stock and sold.”) (“TSNP” was the OTC issuer Tesoro Enterprises, Inc.).

46. Gallagher engaged in scalping in connection with at least 60 securities, just within the period December 2019 to October 2021.

II. GALLAGHER'S SCIE SCALPING SCHEME

47. One of the stocks that Gallagher scalped was SpectraScience, Inc. (“SCIE”). Gallagher's conduct in connection with SCIE is typical of Gallagher's scalping in the other securities listed in Attachment A. Gallagher generated profits of approximately \$22,000 by engaging in a scheme to scalp shares of SCIE, which he traded between December 2020 and March 2021.

48. On December 5, 2020 (a Saturday), Gallagher and an associate exchanged private direct messages, in which they agreed to start promoting SCIE. Gallagher asked the associate A

by DM for some information about the company, but the associate replied that “SCIE is just a shell with no guts but whenever [Individual A] starts pumping [Individual B] is behind it he usually messages me what’s up I’m going to message him.” The associate appears to be communicating to Gallagher that SCIE has no business operations but that, given that Individual A is pumping (i.e., promoting) the stock, that usually means that Individual B is behind a plan to pump and dump that stock; and the associate is planning to reach out to Individual B to find out what the plan is.

49. Gallagher then sent a DM to another associate: “. . . if you keep scie quit so I can get in cheap ill try to give it a run starting Tuesday cool?”

50. As of December 2020, SCIE was an inactive Minnesota corporation whose shares were registered with the Commission and were quoted and traded on OTC Link.

51. SCIE was, as of December 2020, and continues to be, delinquent in its periodic filings with the Commission. It has not filed any quarterly or annual reports since it filed a Form 10-Q on November 14, 2017, for the period September 30, 2017. SCIE also has not filed any Forms 12b-25 explaining its inability to timely file those Forms 10-Q and Forms 10-K.

52. In its last filing with the Commission in 2017, SCIE was listed as being headquartered in San Diego, California and involved in the development of electromedical devices. However, during the period of Gallagher’s scalping of SCIE shares, both the telephone number and the website listed for SCIE on the OTC Markets website were inoperable.

53. A search for officers listed in SCIE filings did not identify current corporate officers or contact information. On-line photos of SCIE’s San Diego address in February 2021, during the events described below, indicate that the address provided for its corporate premises was empty inside and under renovation. SCIE also has not issued any press releases since at

least November 2017.

54. On Monday, December 7, 2020 at the market's open, Gallagher bought 10 million shares of SCIE at \$0.0003 per share. Later that morning, Gallagher began his campaign of public SCIE touts, including tweeting "i loaded this \$scie future alert i think," and, on December 8, "\$scie will have its day im loading these cheap levels. hint". On December 9, 2020, Gallagher bought another 6 million shares of SCIE at \$0.0003 per share.

55. On December 10, 2020, Gallagher tweeted "\$scie this is loading time FYI SHARING MY PLAYS", attaching a re-tweet with a false and/or misleading claim that "SCIE Will Begin meeting with the FDA towards the preparation and submission of Supplemental PMA filing with the FDA and plan for additional clinical trials to support eventual approval for sale in the United States !!". The claim appears to have been copied from SCIE's November 2017 Quarterly Report. Gallagher's tweet misleadingly suggested that SCIE was planning to meet with the FDA as of December 2020. In fact, SCIE did not file any Quarterly Reports after November 2017 and did not publish any press releases on its OTC Markets webpage after that date. Thus, these could not have been a basis for Gallagher's tout that SCIE had plans to meet with the FDA in December 2020.

56. On January 13, 2021, Gallagher bought another 10 million shares of SCIE for \$0.0003 per share and continued to tweet buy recommendations until, on January 27, 2021, Gallagher issued a red Alert to buy SCIE, which said: "\$scie! Challenge buy Alert trips to pennies hold and we all win big!" The red Alerts differ from Gallagher's other buy touts in their sense of urgency, with a flashing red GIF "ALERT!!!! ALEXANDER DELARGE". This red Alert was followed by approximately 20 more tweets that day by Gallagher touting SCIE, some containing false and/or misleading information about SCIE's current business operations, such

as:

SpectraScience, Inc. is focused on developing its WavSTAT Optical Biopsy System (WavSTAT). The WavSTAT employs a risk technology that optically illuminates tissue in real-time to distinguish between normal and pre cancerous or cancerous tissue. \$scie #buyscie; and

Cancer killing with patents. #buyscie.

57. Given that Gallagher had been advised that the company was a shell, and given the lack of public information regarding the company's actual, if any, business operations, Gallagher knew, or was reckless in not knowing, that these claims were false and/or misleading.

58. On January 27, 2021, Gallagher also sent a tweet to buy SCIE (in which he included a GIF of a group dancing together and the line "We're all in this together"). Gallagher's buy recommendations were clearly relied upon by various of his followers and readers, as evidenced, by way of example, by the enthusiastic responses to his recommendation from his followers, such as: (1) "I downloaded ameritrade just to follow your moves but don't have access to my funds until Friday morning.....the hurt of not being able to make moves"; (2) "#buyscie stick to the plan"; (3) "Actually was just running that through my head. It cant go down"; (4) "#buyscie I really hope this works"; (5) "YOU ARE THE MAN! BRILLIANT"; (6) "I m dancing boss ☺"; (7) "How soon can we buy again?"; (8) "I'm with you #buyscie"; (9) "I have a feeling I'll be loading more \$SCIE in the morning."

59. After the market closed on January 27, 2021, and despite his SCIE buy recommendations and his claim to his Twitter followers that: "We're all in this together," Gallagher entered four limit sell orders, each for the sale of 1 million shares at progressively higher prices beginning at \$0.0025, then \$0.0030, then \$0.0035 and finally at \$0.0040 per share — prices between approximately 177% and 344% higher than the closing price of \$0.0009 on that day. (A limit sell order can only be executed at the limit price or higher.)

60. On January 28, 2021, the sell orders were executed after the market opened. Minutes later, Gallagher entered a limit order to buy 1 million shares at \$0.0035 per share, and a second buy order around 10:15 am for 1 million shares at \$0.0024 per share, that were quickly executed. (A limit buy order can only be executed at the limit price or lower.) The limit buy orders were seemingly intended to support the share price and to maintain a false appearance of market demand.

61. Later that afternoon, Gallagher sold 1 million shares of SCIE at \$0.0019 per share. Throughout his selling on January 28, 2021 and continuing until well into the evening, Gallagher tweeted multiple touts encouraging his readers to buy SCIE shares. For example, he tweeted, “help please spread this word. We all need to know. \$scie #buyscie”, “My \$scie #buyscie order filled averaging up for the team! Buy smart sell smart we all win. FYI haven’t sold a share. . . .”, and “lets do it! \$scie #buyscie”. Gallagher’s reference in his tweet to his buy “order filled averaging up for the team” points to the purpose of his placing buy orders, i.e., to support SCIE’s share price and create a false appearance of market demand.

62. The following day, January 29, Gallagher sold virtually his entire position in SCIE, selling another 21.5 million shares, at an average price of about \$0.0015, about 400% over his average purchase price of \$0.0003. Between his sales, Gallagher had one strategically placed buy order entered for 1 million shares at a limit price of \$0.0016, just seconds after having executed a sell order of 1 million shares at \$0.0015. The buy order was evidently intended to give the false appearance of demand in the market, helping to maintain the price and sufficient liquidity, allowing Gallagher to continue selling. Indeed, about 10 minutes later, Gallagher entered a sell order for 3 million shares at \$0.0014 per share.

63. While Gallagher was selling his shares of SCIE on January 29, he tweeted buy or

hold touts about SCIE approximately 15 times. For example, Gallagher tweeted: “yes i’m holding \$scie. it benefits me in no way to sell. . . .”; “\$scie ill hold!”; and “Yes, I’m in \$scie it was my team play!”.

64. Gallagher knew these representations were false and misleading, as they misrepresented his own trading activity.

65. Between January 28 and 29, 2021, Gallagher sold 26,500,000 shares of SCIE, at prices ranging from \$0.0011 to \$0.0040, for a profit of approximately \$35,900.

66. A reasonable investor would have found it material to know that while Gallagher was encouraging his followers and readers to buy shares in SCIE, and while he was assuring them that he was “holding” SCIE; that he hadn’t sold a share; and that “it benefits me in no way to sell;” that Gallagher was in fact selling off virtually his entire position in SCIE.

67. Gallagher’s selling shares while encouraging others to buy those shares was material information that a reasonable investor would consider important to know in making a decision whether to buy shares of SCIE, or any of the other stocks Gallagher touted while selling, as it would indicate to investors that Gallagher was deceitful; that his advice to them was untrustworthy; and that he was encouraging them to buy shares of SCIE, and the other touted stocks, not because he thought that it would be beneficial to them to do so, but because it would benefit Gallagher if they bought shares, thereby raising the share price and Gallagher’s profit margin when he sold his shares and took advantage of that price increase and/or that increased demand for the shares, making it easier for Gallagher to sell his shares.

68. Gallagher failed to disclose this material information to his followers and readers.

69. It appears that Gallagher intended to engage in a second round of scalping of SCIE securities. He tweeted more false information about SCIE. For example, in a tweet dated

January 30, 2021, he said that “Someone is paying” SCIE’s regulatory fees and attached a misleading re-tweet of a 2016 article, “SpectraScience Announces First Use of WavSTAT4 Optical Biopsy System in Spain”, implying that SCIE had current operations. He also retweeted, “\$SCIE wavstat4 technology is distributed by Pentax throughout Europe”, falsely implying that SCIE had profitable, current business operations.

70. At the beginning of February, Gallagher bought more SCIE shares, buying 3 million shares on February 4, another 2 million shares on February 9 and another 2 million shares on February 10, 2021.

71. On the morning of February 11, 2021, the Commission announced it was temporarily suspending trading in SCIE because “certain social media accounts may be engaged in a coordinated attempt to artificially influence the share price of SpectraScience Inc. (OTC: SCIE), an inactive Minnesota-based corporation.”

72. On February 12, 2021 Gallagher sent a DM to a Twitter user: “scie was as good as i made it.”

73. After the trading suspension ended on February 26, 2021, the company’s common stock started trading on OTC Link’s Expert Market.⁴ The company had a “Delinquent SEC Reporting” and skull-and-crossbones “Caveat Emptor” designation on the OTC Markets website. In early March 2021, after the trading suspension was lifted, Gallagher sold his remaining shares of SCIE at prices that reduced his overall profits from this scheme to approximately \$22,000. On May 17, 2021, the Commission instituted proceedings to deregister the SCIE securities. The company has failed to respond to the order instituting deregistration proceedings and has been

⁴ Once a trading suspension ends, quoting and trading may resume in the “grey market” or on non-exchange venues, such as OTC Link’s Expert Market tier, which limits the publication of unsolicited quotes to broker-dealers rather than to the general public.

ordered to show cause why it should not be found in default and deregistered.

III. GALLAGHER'S PDPR SCALPING SCHEME

74. Gallagher made approximately \$116,000 in profits by engaging in a scheme to scalp shares of Marathon Group Corp., ("PDPR"), which he traded between February 1, 2021 and March 12, 2021.

75. PDPR, f/k/a Pediatrics Prosthetics, Inc., is a Wyoming corporation headquartered in Waterbury, Connecticut. PDPR's securities are not registered with the Commission. PDPR's common stock was quoted and traded on OTC Link under the ticker symbol PDPR, until the Commission suspended trading in its securities on February 19, 2021.

76. According to its most recent press release, dated September 5, 2019, PDPR was "engaged in web property development" and, through a subsidiary, had just entered the cannabis industry with three new products for people and pets. PDPR's most recent quarterly financial information submitted to OTC Markets, for the period ending June 30, 2019, was posted in August 2019. Since 2001, the company changed its name three times, adopting its current name in 2011.

77. On February 1, 2021, Gallagher sent a DM to a Twitter account: "pdpr right?" That day Gallagher bought approximately 20 million shares of PDPR for prices between \$0.0009 and \$0.0013 per share.

78. On February 2, 2021, Gallagher bought approximately 30 million shares of PDPR for prices between \$0.0012 and \$0.0017 per share.

79. On February 3, 2021, Gallagher sent several DMs to select Twitter associates, privately advising them to load up on PDPR in the morning. These private messages included: "pdpr keep that under wraps" and "PDPR will be good today. id suggest go big. no noise out

loud yet. between us.”

80. That day, Gallagher also began sending at least eight buy tweets to his followers and public viewers touting PDPR, including, for example, “Great market day! For all those that say @AlexDelarge6553 pumps and dumps can kiss my ass! \$pdpr up 164% 100% after alert!” and “\$PDPR! MY NEW #1 GET IT BEFORE CLOSE!! . . .”. Gallagher bought 1 million shares of PDPR but sold approximately 7 million shares of PDPR while tweeting buy recommendations that day.

81. On February 4, 2021, Gallagher sent approximately thirteen more public tweets touting PDPR, including: “LOOK AT \$PDPR ALERTED EARLY YESTERDAY!! NO PUMP AND DUMP HERE!” That day, despite his public tweets assuring his followers and readers that he was not engaged in a pump and dump, Gallagher in fact sold more than 6 million of his PDPR shares at prices ranging from \$0.0038 to \$0.0043 per share, generating profits of approximately \$17,700.00.

82. Gallagher knew these representations were false and misleading, as they misrepresented his own trading activity.

83. Again, Gallagher’s buy recommendations in his public tweets, which were often retweeted, were clearly relied upon by his Twitter followers and as well as other members of the public who read them, as evidenced by the responses to one of Gallagher’s February 4, 2021 tweets to buy PDPR, which included the following: (1) “Im in”; (2) “I’m in 🤔👍👍”; and (3) “I was a newbie a few months ago, but u were one of the first stock related profiles I followed.”

84. On February 5, 2021, Gallagher continued to tout PDPR with at least seven more tweets, including, “IF YOU SELL \$PDPR YOUR DUMB!” and “\$PDPR READ-BUY=GET RICH!!” That day, Gallagher sold approximately 24 million shares of PDPR at prices ranging

from \$0.0044 to \$0.0054 per share, generating profits of approximately \$89,000.

85. Gallagher continued to tout PDPR on Twitter from February 6 through February 11, 2021, such as, “\$pdpr is great and one of my favs long holds ill be adding all dips!” (“dips” is understood to mean a momentary decline in price per share) and “. . . \$pdpr alerts fire!!” while selling approximately 3.8 million more shares of PDPR on February 9, 10 and 12, 2021 at prices ranging from \$0.0030 to \$0.0042 per share, generating profits of approximately \$8,700.

86. A reasonable investor would have found it material to know that while Gallagher was encouraging his followers and public viewers to buy shares in PDPR, and while he was assuring them that “NO PUMP AND DUMP HERE” and “IF YOU SELL \$PDPR YOUR DUMB” and “\$pdpr one of my favs long holds,” that Gallagher was in fact selling off his shares of PDPR.

87. Gallagher’s selling of his PDPR shares while encouraging others to buy PDPR shares was material information that a reasonable investor would consider important to know in making a decision whether to buy shares of PDPR, or any of the other stocks Gallagher touted while selling, as it would indicate to investors that Gallagher was deceitful; that his advice to them was untrustworthy; and that he was encouraging them to buy shares of PDPR, and the other touted stocks, not because he thought that it would be beneficial to them to do so, but because it would benefit Gallagher if they bought shares, thereby raising the share price and Gallagher’s profit margin when he sold his shares and took advantage of that price increase and/or that increased demand for the shares, making it easier for Gallagher to sell his shares.

88. Gallagher failed to disclose this material information to investors.

89. On February 18, 2021, the Commission announced the temporarily suspension of trading in PDPR securities “because of questions regarding the accuracy and adequacy of

information in the marketplace about the Company and the market for its securities. Since late January 2021, PDPR's share price and trading volume have increased in the absence of any publicly available news or current information from the Company, and certain social media accounts may be engaged in a coordinated attempt to artificially influence PDPR's share price."

90. After the Commission's trading suspension ended on March 4, 2021, the company's common stock started trading on OTC Link's Expert Market. The company has a "Dark or Defunct" and skull-and-crossbones "Caveat Emptor" designation on the OTC Markets website. After the trading suspension was lifted, Gallagher sold his remaining shares of PDPR at prices that reduced his overall profits from this scheme to approximately \$114,000.

IV. GALLAGHER'S SCALPING AND MANIPULATIVE TRADING IN SPOM

A. Gallagher's Initial SPOM Scalping Scheme

91. SPO Global, Inc. ("SPOM") is a Delaware corporation headquartered in China whose common stock is quoted on OTC Link under the ticker symbol SPOM. The company's business is described on OTC Markets to include sales of medical software and equipment.

92. As described below, from February 18, 2020 through February 24, 2021, Gallagher engaged in a manipulative trading scheme that included multiple instances of scalping shares of SPOM, earning net trading profits of approximately \$197,500.

B. Gallagher's Marking the Close of SPOM

93. Gallagher also engaged in manipulative trading of SPOM by repeatedly marking the close at the end of July 2020 and into early August 2020 in order to induce the purchase of SPOM securities by others.⁵ Specifically, between July 23, 2020 and August 3, 2020, Gallagher

⁵ "Marking the close" is the practice of attempting to influence the closing price of a stock by executing purchase or sale orders at or near the close of the market.

entered buy limit orders above the offer price (the price at which sellers were willing to sell their shares) just prior to the market close, with the intent to increase SPOM's end of day ("EOD") adjusted closing price, thereby creating the impression that the stock was increasing in value in order to induce others to purchase shares of SPOM.

94. The day before undertaking this manipulative scheme, Gallagher sent private DMs to other twitter users which indicated that Gallagher intended to use EOD trades as a means to manipulate SPOM's EOD share price.

95. To Twitter User A, Gallagher wrote: "...can you get a chart of the last few min of spom today? spom went nuts with some big buys eod and got a guy who putting something together for me".

96. To Twitter User B, Gallagher wrote: "A friend is putting a spom article together and massive buys eod".

97. The references to "a guy who putting something together for me" and "A friend is putting a spom article together and massive buys eod" suggests that Gallagher was coordinating with an Associate to tweet an article touting SPOM as part of a coordinated effort to increase SPOM's EOD share price to induce others to buy the stock.

98. Just prior to the close of trading on July 23, July 27, and July 28, 2020, Gallagher placed approximately eighteen EOD limit buy orders of SPOM at or above the offer price, with the intent of raising the adjusted closing price to induce others to buy the stock. For example, on July 23, 2020, between 3:54:39 p.m. and 3:59:52 p.m., Gallagher entered five buy SPOM limit orders above the offer price, which were executed shortly thereafter; on July 27, 2020, at 3:59:38 p.m., Gallagher entered three buy SPOM limit orders above the offer price, which were executed shortly thereafter; and on July 28, 2020, between 3:56:07 p.m. and 3:59:39 p.m., Gallagher

entered ten buy SPOM limit orders above the offer price, which were executed shortly thereafter.

99. Gallagher's EOD timing of these buy orders at limit prices above the market price indicates that his intent was to artificially raise the price per share of SPOM to induce others to buy it.

100. Gallagher's manipulative EOD trading was detected by his broker (Broker A), who emailed him on July 29, 2020. The email had the subject line "Possible manipulative trading in your account" and said that, between July 23 and July 28, 2020, bids were executed in Gallagher's account "which had the effect of raising the closing price of [SPOM]. This activity may be considered marking the close by regulators."

101. Despite this email from Broker A, on July 29 and July 30, 2020, Gallagher again entered approximately thirteen EOD buy limit orders at or above the offer price.

102. Gallagher engaged in these trades with the specific intent that his EOD limit order would artificially raise the price per share of SPOM, as reflected by one of his public tweets attempting to enlist the help of his Twitter followers and readers to manipulate SPOM's closing price on July 29, 2020: "Hey traders can you guys buy \$spom if it moves 1 penny I'll be green. Lets keep the green streak alive! Thank you in advance. .175 is a great buy price FYI".

103. By exhorting his followers: "Lets keep the green streak alive!" Gallagher was evidently telling his followers that if his scheme to mark the close is successful, SPOM's market price will close higher ("in the green") than the previous day.

104. Gallagher's reference to ".175 is a great buy price FYI" indicates that Gallagher was telling his followers and readers to enter buy limit orders at .175, a price he thought would artificially move SPOM's share price higher.

105. Gallagher admitted in tweets that his intent was to create, in essence, a

manipulative flash mob who would engage in a coordinated action to enter buy limit orders above SPOM's bid and offer⁶, induce other traders to trade SPOM as a result of this market activity and, thereby, artificially increase SPOM's adjusted closing price. For instance, he tweeted: "Tried to push \$spom to 17 cents the last second buying 20K more shares. Didn't work. but got my shares under 17" and "Let's see if I can move \$spom to green made a few bucks today! Anyone wanna help!" and "I bought 50K shares EOD and will everyday. So flippers sell to me \$spom best OTC."

106. On July 29, 2020 at 3:32 p.m., Gallagher again showed his intent to manipulate SPOM's closing price when he publicly tweeted, "I'll be hitting \$spom at .17 come join me move this. EOD [end of day]". Between 3:51:58 p.m. and 3:59:49 p.m. that same day, Gallagher entered eight EOD SPOM buy limit orders at \$0.17, which was above the offer price. Gallagher's first limit order to buy 5,000 shares of SPOM at \$0.1700 was filled at \$0.1497 and his final buy limit order for 20,000 shares of SPOM at \$0.1700 was filled at \$0.1618, indicating that his EOD buy limit orders moved SPOM's EOD price higher. SPOM's adjusted closing price on July 29, 2020 was \$0.1579, also indicating that his EOD buy limit orders moved SPOM's EOD price upwards. On this day, there was no current news to otherwise account for SPOM's increase in its adjusted closing price.

107. On July 30, 2020, between 3:49:27 p.m. and 3:59:15 p.m., Gallagher entered five EOD SPOM buy limit orders for 25,000 shares — at and above the market price — in an attempt to manipulate the stock's price by marking the close. The orders were executed shortly

⁶ The term "bid" refers to the highest price at which a person is offering to pay at any given time to purchase a stock. The term "ask" (or "offer") refers to the lowest price at which a person is offering to sell the stock.

thereafter, before the market close.

108. On the morning of Friday, July 31, 2020, Broker A sent a second notification to Gallagher, stating, “Between 7/29/2020 and 7/30/2020 [Gallagher’s account] established a pattern of trading that could potentially be viewed as manipulative by outside regulators.”

109. Nonetheless, on July 31, 2020, Gallagher — yet again — entered two EOD limit orders above the offer price, to mark the close. At 3:56:17 p.m. that day, Gallagher entered a buy limit order for 10,000 shares of SPOM at \$0.1600, which was executed at the then market price of \$0.152. At 3:59:27 p.m., Gallagher entered a buy limit order for 3,000 shares of SPOM at \$0.1600, which immediately executed at the then market price of \$0.1537. SPOM’s adjusted closing price for the day was \$0.1537.

110. Broker A emailed Gallagher the following Monday, August 3, 2020, with a third warning that his trading in SPOM on July 31 appeared “as an attempt to uptick/stabilize the stock price and/or mark the close.” Yet again, however, on August 3, Gallagher placed still another EOD order at 3:58:40 p.m. to buy 10,000 shares of SPOM. The order was filled.

111. Broker A then temporarily restricted Gallagher’s account to liquidating transactions only.

112. On August 12, 2020, Gallagher publicly tweeted: “Always love waking to my [Broker A] account restricted do to stock manipulation! Who would try to move \$spom EOD not me!”

113. Gallagher was evidently openly bragging about his manipulative trading by sarcastically denying it and treating his broker’s restriction of his account for manipulative trading as a joke.

114. As set forth above and below, Gallagher’s scheme to mark the close in SPOM

was intended to raise the price of SPOM and induce others to buy shares of SPOM, thereby further raising SPOM's price, so that Gallagher could increase the profits he generated when he sold SPOM shares as part of his scalping scheme.

C. Gallagher's Follow-On SPOM Scalping Scheme

115. Gallagher's marking the close of SPOM furthered his scalping scheme.

116. Over the twelve days Gallagher engaged in his marking the close scheme with SPOM, he simultaneously tweeted approximately one hundred tweets, including: "buy \$spom be richer", "SPREAD THE WORD RETWEET EQUALS A FOLLOW! BUY SPOM!!!" and "spread the word and buy \$spom". Gallagher also sent multiple DMs urging his followers to buy SPOM.

117. On August 5, 2020, just two days after his last manipulative EOD trade in SPOM attempting to raise its share price, Gallagher began selling his SPOM shares, all the while continuing to urge his followers and readers with dozens of tweets and DMs to buy SPOM.

118. For example, as described in more detail below, at ¶¶ 1383 to 1544, from August 5, 2020 through September 15, 2020, for instance, Gallagher sold over 1.3 million shares of SPOM, all the while urging others to buy SPOM in tweets, DMs and through message boards in coordination with an associate. For example, on August 4, 2020, Gallagher publicly tweeted, "\$spom run has started! i think we see green every day for many days! load up! \$spom ers". And on August 5, 2020, when he was selling shares of SPOM, Gallagher sent a DM to a Twitter user, "BUY ALL THE SPOM YOU CAN".

119. On August 9, 2020, Gallagher sent a private message to an associate, "i have a spom army here". The associate responded via DM, "I'll contact my IHUB friends and hit 30 boards for SPOM". (IHUB is understood to be a stock message board). Gallagher answered,

“alright get the boys to push spom for a week”

120. On August 25, 2020, just before the market opened, Gallagher tweeted a red Alert: “\$SPOM BUY!!! ALERT!!!” (with a flashing GIF red siren ALERT) and, at noon that day, Gallagher tweeted a reply to a Twitter user who asked Gallagher for guidance on when to buy and sell SPOM: “i buy almost every dip and sell small on the rips (HAVENT SEEN A RIP IN A WHILE) into the ask not to hurt shareholders.” (“Rip” is understood by promoters such as Gallagher to refer to a rise in share price after a sharp decline). Gallagher did not disclose that, in reality, he had been selling SPOM for weeks and continued selling SPOM that same afternoon.

V. GALLAGHER’S MARKING THE CLOSE OF BZWR

121. Gallagher also engaged in manipulative trading to mark the close of shares in Business Warrior Corporation, (“BZWR”), whose common shares trade on OTC Link, in order to create the artificial impression that the stock price was rising, in order to make the stock look more attractive to potential investors and induce them to buy the stock.

122. On March 2, 2021 at 3:59:25 p.m., Gallagher entered a buy limit order for 120,000 shares of BZWR at \$0.2400 per share. This limit price was above the ask of \$0.2220. Placing the limit order at \$0.2400 made no legitimate economic sense; it was instead intended to raise the share price, as Gallagher was offering to pay a higher price per share than was being offered. The order was partially filled before market close at prices between \$0.222 and \$0.2400. The day’s adjusted close for BZWR was \$0.2400, the same price Gallagher’s buy limit offer was partially filled at, indicating that his EOD order affected the adjusted close. Gallagher profitably sold these shares the next day.

123. Likely emboldened by the success of this manipulation, the next day Gallagher

sent multiple DMs and a tweet attempting to engage in a coordinated manipulative effort to mark the close of BZWR.

124. On March 3, 2021, Gallagher sent a private DM to an associate: “how much bzwr you have” adding, “i can move it 10 cents eod”. The associate replied, “I can slap end of day too”. (This is understood to be the associate agreeing to also place EOD buy limit orders along with Gallagher’s EOD orders to manipulate the day’s closing price). Gallagher sent another DM to the same associate that say saying: “AGAIN PUT A DUMB HIGH BZWR BUY YOU WIN BIG.”

125. Gallagher sent additional DMs on March 3 to as yet unidentified recipients, saying: WATCH BZWR FINISH”; “EOD we can smak bzwr 40 cents on little money”; “AGAIN GET BZWR BEFORE THE CLOSE!”; and he publicly tweeted: “If you buy \$bzwr now! You be happy EOD”.

126. These DMs and tweet are understood to be Gallagher attempting to coordinate traders to place EOD buy limit orders above the bid and ask for no economic purpose except to artificially raise BZWR’s adjusted close.

127. Gallagher placed multiple EOD buy BZWR limit orders.

128. Gallagher affected the adjusted closing price of BZWR by marking the close. For example, on March 5, 2021 at 3:59:08, Gallagher placed an initial buy limit order for 100,000 shares of BZWR at \$0.2700, even though the ask price at the time was only \$0.2092. At 3:59:37 p.m., on March 5, 2021, Gallagher placed a limit buy order for 20,000 shares of BZWR at \$0.2200, even though the ask price at the time was only \$0.2092. Neither of these buy orders above the ask price made economic sense and were intended to raise the stock’s closing price. Gallagher’s March 5, 2021 BZWR orders were filled at prices between \$0.2092 and \$0.2150 per

share. The adjusted closing price of BZWR on March 5 was \$0.2150, the same as the price that Gallagher's buy order was partially filled at, indicating that his EOD orders affected that day's adjusted closing price.

129. In at least two instances, Gallagher marked the close of BZWR proximate to his scalping those shares, indicating that he used both manipulative strategies together to sell at a profit. For example, as described above, Gallagher marked the close of BZWR on March 2. The same day, Gallagher tweeted a tout list with "\$bzw" as his #1 buy pick. On March 3, as described above, Gallagher profitably sold shares of BZWR benefiting both from his scalping and having marked the close.

130. As described above, Gallagher also marked the close of BZWR at the EOD on March 5, 2021. On March 8, 2021, the next trading day, Gallagher tweeted at least two touts to buy BZWR and then profitably sold 20,000 shares of BZWR the next day, indicating that he benefited from both his scalping and his having marked the close just days prior, on March 5, 2021.

VI. GALLAGHER'S ADDITIONAL SCALPING ACTIVITY

131. Gallagher has engaged in scalping in connection with at least 59 issuers. Unless otherwise noted, the common stock of all of the issuers discussed below was quoted and traded on OTC Link. With respect to each issuer discussed below, Gallagher failed to disclose material information, namely his intent to sell the Target Security and his actual sales of the Target Security — at the very time that he was recommending to his followers and other Twitter readers that they buy the stock.

132. With respect to each of the issuers discussed below, Gallagher's selling shares while encouraging others to buy those shares was material information that a reasonable investor

would want to know and would consider important to know in making a decision whether to buy shares of that issuer, or any of the other stocks Gallagher touted while selling, as it would indicate to investors that Gallagher was deceitful; that his advice to them was untrustworthy; and that he was encouraging them to buy the shares, not because he thought that it would be beneficial to them to do so, but because it would benefit Gallagher if they bought shares, thereby raising the share price and Gallagher's profit margin when he sold his shares and took advantage of that price increase and/or that increased demand for the shares, making it easier for Gallagher to sell his shares. Gallagher failed to disclose that material information to his Twitter followers and readers.

SCALPING OF AFOM

133. Gallagher made approximately \$46,700 in net profits by engaging in a scheme to scalp shares of All For One Media Corp., ("AFOM"), which he traded from November 30, 2020 through January 19, 2021.

134. On November 26, 2020, Gallagher received the following DM from Associate B: "Watch AFOM I know a group is gonna run it. I played it MONTHS AGO. And got stuck broke even but never could move far enough Just a heads up so [I'll] be watching."

135. On November 28, 2020, Gallagher sent a DM to Associate B: "one a day im trying afom" and "afom try not to push that so i can load for a latter alert next week".

136. On November 29, 2020, Gallagher sent a DM to Associate B again: "Afom Wednesday keep noise down lol v foundation I wanna hit a million," to which Associate B responded: "And ya AFOM is gonna go out if my control" and "Okay [I'll] surprise my side as I have[n't] pushed it or even said much about it yet in my group even AFOM".

137. Later that day, Gallagher sent another DM to Associate B: "...20 mill shares afom

if it don't take off another 20 million”.

138. On November 29, 2020, Gallagher also received a DM from Associate X: “AFOM under accumulation- Peace and Love always”.

139. At 9:30 a.m. on November 30, 2020, Gallagher purchased 20,000,000 shares of AFOM for \$0.0004 per share.

140. Later that morning, Gallagher received a DM from Associate A: “Afom will be your big next runner.” and “That thing will move”. Gallagher responded: “was just gonna tell you that”. Associate A sent another DM to Gallagher: “Afom is gonna run 1k% with you.” Gallagher responded: “im alert afom tomorrow thatll be the big run. im quiet with it now loading dips”.

141. Later in the afternoon, Gallagher sent a DM to Associate I: “xmet and afom”.

142. On November 30, 2020, late in the evening, Gallagher sent a DM to Associate B: “afom going nuts agree”.

143. On December 1, 2020, Gallagher sent a DM to Associate B at 8:39 a.m.: “I'm thinking at 940 we send hard alert afom then after noon xmet. Your thoughts?” and “Ok alerting afom at 940 any loud chatter which I know you have. Blow it up 940 if you could. That for all you do. Noon is xmet”.

144. Later that morning, between 9:39 a.m. and 9:41 a.m., Gallagher tweeted: “Challenge alert!! \$afom this runs like no other!! Load and hold this is a swing multiple pennies fast!! Buy \$afom 500% runner today” (this tweet was accompanied by a red ALERT!!!! GIF) and “\$afom is not a swing trade this is a long hold! Challenge alert!!”

145. Just over 20 minutes later, at 10:03 a.m., Gallagher sold, undisclosed, 1,000,000 shares of AFOM, 5% of his holdings of AFOM, at \$0.0045 per share.

146. Within an hour after selling, Gallagher tweeted: “\$AFOM SCOOP THIS CHEAP STUFF!”; and “\$AFOM THIS IS A LONG!!!”; and “\$AFOM”.

147. Over the course of the next 30 minutes, Gallagher sold, undisclosed, 12,000,000 shares of AFOM, approximately 63% of his holdings of AFOM, at prices from \$0.0033 to \$0.0039 per share.

148. In the middle of this selling spree, Gallagher tweeted: “CHALLENGE ALERT! \$AFOM”.

149. Throughout the rest of the day of December 1, 2020, Gallagher tweeted 14 buy touts for AFOM including: “\$XMET \$AFOM CHALLENGE ALERT!! LONGS BOTH!!!”; and “\$AFOM LONG”; and “End of day deals!! \$xmet \$tsnp \$afom \$enzc!! Always buy the dip!!!”; and “\$afom will be #1 soon! This will be trips to 5 cents min!”

150. On December 2, 2020, before the market opened, Gallagher sent a DM to Associate B: “Vnth and wnbnd my we are gonna promote and really push thoe two and afom the beast as well alert will be random one today. Two a day seems to much . when past alerts drop ing. And losing credibility. Just a heads up. Let's push those three and past alerts”.

151. From December 2, 2020 through December 4, 2020, Gallagher tweeted 26 buy touts for AFOM, including 4 tout lists with AFOM on them and: “\$afom alert!! this runs for days”; and “\$afom Alert buy!!!”; and “IF YOUR DOWN ON \$AFOM YOU GOT ISSUES. AND NO I DO NOT PUMP AND DUMP THE FACT YOU ASK THAT BLOCK IS IN QUESTION. I LOSE WHEN YOU LOSE”; and “\$afom im super long and love this. this will bounce back!!”

152. On the morning of December 4, 2020, Gallagher sold, undisclosed, his remaining 7,000,000 shares of AFOM at prices from \$0.0014 to \$0.0015 per share.

153. On December 7, 2020, Gallagher bought 2,000,000 shares of AFOM for \$0.0018 per share.

154. On December 9, 2020, Gallagher tweeted: “I know I alerted \$afom”.

155. On December 10, 2020, Gallagher sold, undisclosed, 2,000,000 shares of AFOM at \$0.0007 per share.

156. On January 5, 2021, Gallagher bought 3,000,000 shares of AFOM for \$0.0010 per share.

157. On January 16, 2020, Gallagher sent a DM to Associate U: “afom should run again”. Associate U responded: “I really hope so....”.

158. On January 19, 2021, at 10:44 p.m., Gallagher sold, undisclosed, his remaining 3,000,000 shares of AFOM at \$0.0008 per share

SCALPING OF AHFD

159. Gallagher made approximately \$1,700 in net profits by engaging in a scheme to scalp shares of Active Health Foods, Inc., (“AHFD”), which he traded between October 12, 2021 and October 13, 2021.

160. On October 12, 2021, at approximately 9:33 a.m., Gallagher purchased 3,475,250 shares of AFHD for \$0.0032 to \$0.0034 per share.

161. Later that morning, at 9:57 a.m., Gallagher tweeted: \$ahfd added this today!”

162. About an hour and a half after this tweet, Gallagher purchased another 2,524,750 shares of AHFD for \$0.0032 per share.

163. Beginning at 1:05 p.m. on October 12, 2021, and continuing throughout the rest of the day and through the morning of October 13, 2021, Gallagher tweeted thirteen buy touts for AHFD including: “\$afhd”; and “Stock that will run all week!...\$ahfd...Watch and be amazed!

Add these before close today!"; and "\$ahfd looking good !"

164. On October 13, 2021, at approximately 1:01 p.m., Gallagher sold, undisclosed, 1,000,000 shares of AHFD, approximately 17% of his holdings of AHFD, at \$0.005 per share.

165. At 4:58 p.m. on Wednesday, October 13, 2021, Gallagher tweeted: "Thursday list...\$ahfd...".

SCALPING OF ALPP

166. Gallagher made approximately \$471,200 in net profits by engaging in a scheme to scalp shares of Alpine 4 Holdings, Inc., ("ALPP"), which he traded from December 8, 2020 through March 11, 2021.

167. On December 8, 2020, at approximately 1:51 p.m., Gallagher received a DM from Associate KKKK: "ALPP is about to fly my friend, military contracts and acquisition finalized this Thursday 12/10! Don't miss the run to \$1".

168. On December 8, 2020, between approximately 2:07 and 2:08 p.m., Gallagher bought 10,000 shares of ALPP for \$0.525 per share.

169. Two minutes after his order executed, Gallagher tweeted: "OK I bought \$alpp after two years of listening i give up! Im in at 52 week high!!"

170. On December 11, 2020, Gallagher tweeted "\$alpp im a fan!!" and a tout list, "Monday list!!" with \$alpp as his #4 buy recommendation.

171. On December 12, 2020, Gallagher tweeted six touts for \$alpp, such as including it on his tout buy list.

172. On December 14, 2020, Gallagher tweeted seven ALPP touts, including it on two buy tout lists: "Before buying anyones alerts you must own!! . . . 4 \$alpp . . ." and, "OTC long holds . . . \$alpp . . . I hold these long big money made by just holding!! RETWEET GETS A

FOLLOW”.

173. From December 15 through December 21, 2020, Gallagher bought another 115,000 shares of ALPP for prices from \$1.02 to \$1.40 per share.

174. From December 15 through December 21, 2020, Gallagher tweeted twenty-eight ALPP touts. For example, on December 21, 2020, Gallagher tweeted multiple touts: “\$alpp new highs and my new #1 load \$alpp”; and “YOU WANT TO OWN THIS UP LISTING STOCK!!”; and “Tuesday list!! Longs! 1 \$alpp . . .”; and “My \$alpp confidence! Not selling a share!! . . . \$alpp will up list and we will see multi dollar run!! Whos with me?”

175. On December 22, 2020, from 6:33 a.m. to 9:55 a.m., Gallagher tweeted seven ALPP touts, including: “Hot stocks today!! . . . \$alpp always hot All RETWEETS gets a FOLLOW”; and, “\$alpp pushed \$2.60 today! To big for the OTC im riding this into the sunset!”

176. On December 22, 2020, between 10:28 a.m. and 10:32 a.m., Gallagher sold, undisclosed, 6,000 shares of ALPP, approximately 5% of his holdings of ALPP, for prices from \$2.48 to \$2.53 per share. Between 10:57 a.m. and 12:31 p.m., Gallagher tweeted three more ALPP touts, including: “Team twitter! Are we green? Scream some positive!! To many love negative! I LOVE POSITIVE . . . \$alpp . . .”. At 2:14 p.m., Gallagher sold, undisclosed, 4,000 shares of ALPP, approximately 3% of his holdings of ALPP, at prices from \$2.43 to \$2.45 per share. Gallagher tweeted three more ALPP touts after his order had executed. Gallagher’s total sale of 10,000 shares of ALPP on December 22, 2020 was 8% of his holdings of ALPP that day.

177. From December 23, 2020 to December 28, 2020, Gallagher tweeted approximately 90 ALPP touts, including, on December 27, 2020 to Associate C: “@[Associate C] \$ALPP IS A SURE THING! BUT SHIT!! THEY’RE ALL MY PAST ALERTS, BUY ALL!!”

178. On December 28, 2020, Gallagher tweeted: “last alert load \$alpp . . . these are beast!! Before close!!” and “\$alpp challenge wasn't hit!! No one picked \$4.40 so we carry the \$100 venmo over to Tueaday! Pick the closing price and win the \$alpp challenge must have venmo and be the first! Only one winner! What will \$alpp close Tuesday price?”

179. On December 28, 2020, Gallagher (aka “Alex Delarge”) tweeted: “Alex is a pumper!! I pump all my Stocks! \$alpp \$neca \$sanp \$mjlb \$scouv all of these pumps up 300% minimum after alerted just to name a few pumps!! Sorry for your gains. and yes a few havent taken off yet!! But they will!!”

180. From December 29, 2020 through approximately 9:47 a.m. on January 5, Gallagher 2021, Gallagher bought an additional 16,000 shares of ALPP for prices from \$2.07 to \$3.99 per share.

181. From December 29, 2020 to January 5, 2021, Gallagher tweeted approximately 70 ALPP touts, including, on January 4, 2021: “\$ALPP BUY OFF HERE LOVE THESE DIPS ON NASDAQ UP LIST. NO BRAINER HERE!” and “\$ALPP LOADED 10K MORE SHARES!! \$ALPP PR UP LISTING TO NASDAQ! THIS IS PROFIT TAKERS FROM 2020. IM HOLDING FOR \$10 BUCKS A SHARE ILL BE ADDING ALL DAY! ILL SHOW MY STACK AT CLOSE!! \$ALPP IF MY BEST OTC PLAY!”

182. On January 5, 2021, at 10:50 a.m., Gallagher tweeted, “\$alpp is my #1 long otc stock! Added 5k more shares averaging up! I buy all red days! . . . Strong buy IMO.” At 1:20 p.m., Gallagher tweeted: “Investors read! \$alpp OTC stock! NASDAQ bound! investors this is what you want your core positions to make real money! OTC to NASDAQ”. While urging his readers and followers to buy ALPP, Gallagher did not disclose that his intent was to imminently sell his shares into his ALPP touts.

183. On January 5, 2021, between approximately 1:27 p.m. and 1:59 p.m., Gallagher sold, undisclosed, 14,000 shares of ALPP, approximately 11% of his holdings of ALPP, at prices ranging from \$2.91 to \$3.24 per share.

184. On January 5, 2021, during the period he was selling his ALPP shares, Gallagher touted ALPP: (1:22 p.m.) “\$ALPP No one can pry my shares out of my hands! Respect! American jobs! American company! Hard working lead...”; (1:29 p.m.): “\$alpp is the overall #1 OTC stock to own!! I buy Every dip!! The reason? because it inst gonna be OTC in 2021”; (1:32 p.m.) “\$alpp smart! it always bounces back!!”; (1:56 p.m.) “\$alpp how did this age? \$alpp will hit \$10 PPS soon!”

185. On January 6, 2021, at 9:53 a.m. and 9:55 a.m. respectively, Gallagher tweeted: “\$alpp the future people!” and “\$alpp new updates! #1 [link]”.

186. On January 6, 2021, from 10:05 a.m. to 1:23 p.m., Gallagher sold, undisclosed, another 11,000 shares of ALPP, approximately 9% of his holdings of ALPP, at prices from \$2.91 to \$3.00 per share.

187. About halfway through his selling that day, at 11:41 a.m., Gallagher bought 1,000 shares of ALPP at \$2.96 per share. At 12:50 p.m., Gallagher tweeted: “Loaded both these today \$cydy and always \$alpp the best”. This tweet was misleading given that while Gallagher had bought 1,000 shares of ALPP, he did not disclose that he was a net seller of 10,000 ALPP shares that day. His purchase of 1,000 shares would create additional trading volume which is understood to attract buyers of ALPP that would support its share price as Gallagher sold.

188. On January 6, 2021, after the market closed, Gallagher touted ALPP, “\$alpp is my overall #1 OTC”.

189. On January 7, 2021, Gallagher sold, undisclosed, another 9,020 shares of ALPP,

approximately 8% of his holdings of ALPP, at prices from \$2.73 to \$2.94 per share.

190. From January 8 through January 12, 2021, Gallagher bought another 16,100 shares of ALPP for prices from \$2.46 to \$2.94 per share.

191. From January 14 through March 11, 2021, Gallagher only sold ALPP shares, yet he tweeted to his readers and followers approximately 100 ALPP touts of ALPP from January 14 through March 5, 2020, without disclosing that he was actually selling his shares.

192. For example, on January 13, 2021, Gallagher tweeted, “\$alpp new crushing qtr in a future NASDAQ company!!”; and “I been loading so much cheap \$alpp you really should as well... buy red enjoy long term wealth.”

193. On January 14, 2021, prior to the market opening, Gallagher tweeted, “\$alpp 100% must own! . . . It’s my #1 overall everyday OTC stock Advice: Buy dips (this is a dip)” and “\$alpp must own!!” At 3:56 p.m., Gallagher tweeted: “\$ALPP MUST OWN NASDAQ BOUND!!”

194. Contrary to Gallagher’s advice to buy ALPP because “this is a dip,” on January 14, 2021, at 3:59 p.m., Gallagher, in fact, sold, undisclosed, 1,000 shares of ALPP, slightly less than 1% of his holdings of ALPP, at \$2.71 per share.

195. On January 15, 2021, Gallagher tweeted, “\$alpp is a must own!” and “major buy!!! Alert”.

196. On January 16, 2021, Gallagher tweeted two tout lists with \$alpp as his #1 buy pick.

197. On January 17, 2021, Gallagher tweeted a tout list with \$alpp as his #1 buy recommendation for “Low risk gains” and a second tout list with “\$alpp (by far my #1 must own”).

198. On January 18, 2021, Gallagher tweeted, “Resent alerts Watch them or buy them! You want the same or you want gains!”; the tout list included \$alpp.

199. On January 19, 2021, at 6:53 a.m., Gallagher tweeted: “\$alpp This is my #1 otc biggest investment! 115k shares over \$300k!! Lets see how this plays out!”

200. On January 19, 2021, from 9:54 a.m. to 3:35 p.m., Gallagher sold, undisclosed, 11,000 shares of ALPP, approximately 10% of his holdings of ALPP, at prices from \$3.04 to \$3.12 per share. At 3:03 p.m., Gallagher tweeted: “\$alpp is the best OTC period!! Zero risk 100-200% gains soon!” On January 19, 2021, at 9:48 p.m., Gallagher tweeted: “Best otc stocks not on my list because they are NASDAQ BOUND 1 \$alpp . . . You gotta pay for the good stuff. Over \$600k profits in this list!”

201. On January 20, 2021, from approximately 9:42 a.m. to 2:44 p.m., Gallagher sold, undisclosed, 9,000 shares of ALPP, approximately 9% of his holdings of ALPP, at prices from \$3.41 to \$3.81 per share.

202. While Gallagher was selling his shares on January 20, 2021, he tweeted: (9:59 a.m.) “\$alpp!! my #1 going to NASDAQ!! Hope you loaded!!”; (1:09 p.m.) “Account check! I’m really green again! send a GIF describing your trading day! \$alpp . . . my big greens!”; and, (2:34 p.m.) “\$alpp how did i miss this!! \$alpp is my #1 over all OTC stock! but not for long! Its up listing to NASDAQ! You want \$alpp in you portfolio”; and (2:37 p.m.) “\$alpp is in the OTC and up listing to NASDAQ its not to late”.

203. On January 21, 2021, at 9:05 a.m., Gallagher tweeted: “\$alpp my #1 applied to up list to NASDAQ! Uner 4 bucks a share!! you want this long in your portfolio \$10 bucks soon!”

204. On January 21, 2021, from approximately 10:00 a.m. to 3:17 p.m., Gallagher sold, undisclosed, 4,080 shares of ALPP, approximately 4% of his holdings of ALPP, at prices from

\$3.72 to \$3.82 per share. At 1:29 p.m., Gallagher tweeted: “\$ALPP MY OVERALL #1 OTC STOCK GREEN DAILY AND UP LISTING!! GRAB SOME BEFORE THE NASDAQ APPROVAL LETTER! ITS COMING!”

205. On January 21, 2021, after the market closed, Gallagher tweeted a buy tout list: “Friday big green! . . . Long holds always . . . \$alpp . . .”.

206. On January 22, 2021, at 9:24 a.m., Gallagher tweeted: “\$alpp just sayin!”

207. On January 22, 2021, from approximately 9:40 a.m. to 3:35 p.m., Gallagher sold, undisclosed, 8,600 shares of ALPP, approximately 10% of his holdings of ALPP, at prices from \$4.05 to \$4.41 per share. While he was selling these ALPP shares, Gallagher tweeted: (12:10 p.m.) “\$alpp new highs coming!!! \$alpp green for days!” and (1:32 p.m.) “\$tsnp will run like \$alpp”. After the market closed, Gallagher tweeted a buy tout list: “Long hold list best of the OTC 1 \$alpp . . . Low risk best of the best!”

208. On January 23, 2021, Gallagher tweeted: “Stocks I hold huge portions I add red days and sell small chunks on rip days! These are my favorite runners 1 \$alpp . . . This is how to make money in the OTC I never say the sell word! But we are here to make money Sell smart! Sell the ask!”; and (tweeting to a user) “\$alpp”; and (retweeting) “ Low risk gains OTC stocks the best IMO \$alpp . . .”; and (retweeting) “Started separate Alex Picks account. 2K-40K in 14 trading days. \$ALPP...” and “I made a million dollars last week!! 1.5 million dollars this week!! . . . \$alpp . . . to name a few will make this happen!!”

209. On January 24, 2021, Gallagher tweeted four ALPP touts, including a buy tout list “Low risk gains OTC stocks the best IMO \$alpp . . .”.

210. On January 25, 2021, Gallagher tweeted: “\$ALPP #1 OVERALL!!! NEW HIGHS!!” and “\$alpp is a great buy! Right now!” and “\$alpp did we forget!!”; and “\$alpp my

#1”; and “Long hold list best overall OTC 1 \$alpp”; and (retweet) “\$ALPP buying under \$5 will be a thing in the past soon.”

211. On January 26, 2021, Gallagher tweeted: “\$alpp!!! my #1! updates daily!! patents!! Thats how you make money!! the last of \$alpp under \$5 bucks are gone after today!”; and “\$alpp NASDAQ!! BUY NOW OR LATER! YOU WILL BUY!”; “\$alpp great dip buy!! NASDAQ BOUND! THIS IS A STRONG BUY!!” On January 28, 2021, Gallagher tweeted, “\$ALPP Nasdaq bound!! i hope you get this at these levels!” and “Friday list 1 \$scie experiment . . . \$alpp . . . Let’s get them all!” and “\$alpp!! Great finish!! today! big day tomorrow!”

212. On January 29, 2021, Gallagher tweeted, “Ahhh refreshing! \$alpp going to NASDAQ! and “my kids,kids wont have to work!!”; and his tout list “OTCs finest 1 \$alpp . . .”.

213. On January 30, 2021, Gallagher re-tweeted his tout list, “OTCs finest 1 \$alpp”.

214. On January 31, 2021, Gallagher tweeted, “\$alpp set for takeoff!”

215. On February 1, 2021, at about 10:01 a.m., Gallagher sold, undisclosed, 1,400 shares of ALPP, approximately 2% of his holdings of ALPP, at \$3.79 per share. At 11:56 a.m., Gallagher tweeted, “\$alpp up list buy!!”

216. On February 2, 2021, from about 9:43 a.m. to 1:59 p.m., Gallagher sold, undisclosed, 9,000 shares of ALPP, approximately 11% of his holdings of ALPP, at prices from \$3.92 to \$4.08 per share.

217. On February 2, 2021, at 10:06 p.m., Gallagher tweeted, “I can’t vote these 4 have made me millions! and that ain’t bullshit . . . \$alpp . . . you missing . . .”.

218. On February 4, 2021, at 9:47 a.m., Gallagher tweeted: “\$ALPP \$5.00 A SHARE!!”

219. On February 4, 2021, from about 10:31 a.m. to 2:24 p.m., Gallagher sold,

undisclosed, 14,020 shares of ALPP, approximately 20% of his holdings of ALPP, at prices from \$5.00 to \$5.62 per share. While he was selling these ALPP shares, Gallagher tweeted: (11:40 a.m.) “\$alpp!!! \$5.11 pps!!! \$10.00 next NASDAQ bound!! Who do you think is buying now!! People who know!” and (12:09 p.m.) “IM VERY GREEN TODAY!! 5 IN A ROW!! HOW ARE YOU FEELING TODAY? . . . \$ALPP . . .”.

220. On February 4, 2020, after his sell orders had executed, Gallagher tweeted: “Any \$alpp happy people out there? \$5 bucks soon to be gone!”; and “OTC best of the best. These are the core of a good portfolio! 1 \$alpp . . .”.

221. On February 5, 2021, at 10:05 a.m., Gallagher tweeted: “\$ALPP WOOT!! IN AT .50 CENTS NOW AT \$6.28”. From about 10:11 a.m. to 3:39 p.m., Gallagher sold, undisclosed, 25,000 shares of ALPP, approximately 45% of his holdings of ALPP, at prices from \$6.32 to \$7.42 per share. While he was selling these ALPP shares, Gallagher tweeted: (10:37 a.m.) “\$alpp \$7.00 per share!!! NASDAQ BOUND!!” At 3:40 p.m., Gallagher tweeted: “\$ALPP \$15 PPS SOON!”

222. On February 6, 2021, at 12:38 p.m., Gallagher tweeted his buy tout list: “Long holds! Buy these get rich simple! 1 Alerting Monday! Massive alert coming! . . . \$ALPP . . .”.

223. On Sunday, February 7, 2021, Gallagher tweeted a buy alert: “Monday 935 alert! . . . \$alpp . . . All winners here!! Do your DD Make money!”; and “\$alpp I got in late at .51 Im happy . . .”.

224. On Monday, February 8, 2021, Gallagher tweeted his buy tout list: “Tuesday list! . . . \$alpp . . .”.

225. On February 9, 2021, Gallagher tweeted: “. . . \$alpp . . . ITS GREEN EVERYDAY”.

226. On February 10, 2021, Gallagher sold, undisclosed, 2,980 shares of ALPP, approximately 10% of his holdings of ALPP, at prices from \$8.1 to \$8.56 per share.

227. On February 12, 2021, Gallagher tweeted, “\$alpp rocks!” and two buy tout lists: “Tuesday long holds . . . \$alpp. . .” and “My largest holdings in order! . . . 2\$alpp . . .”.

228. On February 15, 2021, Gallagher tweeted, “Have you observed 200000% runners like . . . \$alpp . . . or you just see negative?” and “. . . \$alpp . . . Love them both! Cant lose with either in my opinion!”

229. On February 16, 2021, from about 11:07 a.m. to 3:54 p.m., Gallagher sold, undisclosed, 7,000 shares of ALPP, approximately 25% of his holdings of ALPP, at prices from \$7.27 to \$7.42 per share. At 10:14 p.m., Gallagher tweeted, “. . . My long hold OTC list with \$alpp . . . OTC uplist stocks!”

230. On February 17, 2021, Gallagher tweeted, “\$alpp love this!” and “\$pvdg is my #1 otc \$alpp was! And it’s uplisting!”

231. On February 18, 2021, Gallagher tweeted, “\$ALPP UPLIST SOON!! FUN TIMES AHEAD!”

232. On February 19, 2021, from about 12:27 a.m. to 12:30 p.m., Gallagher sold, undisclosed, 1,000 shares of ALPP, approximately 5% of his holdings of ALPP, at prices from \$7.03 to \$7.04 per share. After his trades executed, Gallagher tweeted, “\$ALPP GOLD!! UPLIST SOON!”; and “. . . I see . . . \$alpp news coming! IMO. ITS MY BIGGEST HOLDING ”; and “Best OTC stocks longs IMO! . . . \$alpp . . .”.

233. On February 20, 2021, Gallagher tweeted, “#4 \$ALPP OTC finest not for long NASDAQ bound! . . . Its incredible! 500k profits and still growing on this OTC Gem of a lifetime! Check it out grab some!” Gallagher retweeted this tout on February 21, 2021, at 12:13

p.m.

234. On February 22, 2021, Gallagher tweeted, “\$alpp I really like them!! NASDAQ BOUND!!”

235. On February 24, 2021, prior to the market opening, Gallagher tweeted, “How bout we all have a big green day!! . . . \$alpp . . .”.

236. On February 24, 2021, Gallagher sold, undisclosed, 1,000 shares of ALPP, approximately 5% of his holdings of ALPP, at \$6.32 per share.

237. On February 25, 2021, Gallagher sold, undisclosed, 3,000 shares of ALPP, approximately 16% of his holdings of ALPP, at prices from \$6.35 to \$6.40 per share.

238. On February 26, 2021, Gallagher tweeted, “\$ALPP!! NASDAQ!!” On March 2, 2021, Gallagher tweeted his buy recommendation list: “Wednesday list! . . . \$alpp Change at the top! Lets hope investors get smart”.

239. On Friday, March 5, 2021, Gallagher tweeted his buy list: “Good morning! Friday list! Green is in our future! . . . \$alpp . . . Lets kicks some Friday ass!! Sell smart!”

240. On March 5, 2021, Gallagher sold, undisclosed, 6,000 shares of ALPP, approximately 38% of his holdings of ALPP, at prices from \$3.9 to \$4.06 per share.

241. On March 5, 2021, after the market closed, Gallagher tweeted a second tout list: “Monday early . . . \$alpp . . .”.

242. On March 6, 2021, Gallagher tweeted: “. . . I buy every otc in hopes to up list mega bucks \$alpp . . .”.

243. On March 8, 2021, Gallagher tweeted, “\$alpp more great news!”, attaching an ALPP press release.

244. On March 8, 2021, Gallagher sold, undisclosed, 1,000 shares of ALPP,

approximately 10% of his holdings of ALPP, at \$4.14 per share.

245. On March 8, 2021, after the market closed, Gallagher tweeted that he was “fully loaded in \$alpp. It’s a big board to me!” (replying to two twitter users). In fact, by March 8, 2021, Gallagher had, undisclosed, sold off approximately 94% of his ALPP holdings, while tweeting touts and buy recommendations for ALPP to his readers and followers as detailed above.

246. On March 9, 2021, Gallagher sold, undisclosed, 2,000 shares of ALPP, approximately 25% of his holdings of ALPP, at prices from \$4.15 to \$4.40 per share.

247. On March 9, 2021, Gallagher tweeted, “look at . . . \$alpp . . . they are preparing to up list.” Gallagher’s tweets on an ALPP “up list” to Nasdaq are understood to mean that the value of ALPP shares will increase in the future so investors should buy them now.

248. On March 10, 2021, Gallagher tweeted, “\$alpp up list ready!!” On March 11, 2021, Gallagher sold, undisclosed, 2,000 shares of ALPP, approximately 33% of his holdings of ALPP, at prices from \$4.18 to \$4.20 per share.

249. On March 11, 2021, Gallagher tweeted, “\$alpp great stock I own a ton of \$alpp” (replying by tweet to a twitter user).

250. While representing that “I own a ton of \$alpp”, in fact, by March 11, 2021, Gallagher had sold off approximately 97% of his ALPP shares.

SCALPING OF ARST

251. Gallagher made approximately \$14,200 in net profits by engaging in a scheme to scalp shares of Arista Financial Corp, (“ARST”), which he traded from January 19, 2021 through February 26, 2021.

252. On January 18, 2021, Gallagher received two DMs from Associate I: “Steve, for

the Growth room, I think they should load \$ARST” and “ARST should be load by the three tomorrow”.

253. At 8:58 a.m. on January 19, 2021, Gallagher received a third DM from Associate I: “GM! The temp team is ready today for load ARST”.

254. On January 19 and 20, 2021, Gallagher bought a total of 9,224,274 shares of ARST for prices from \$0.0013 to \$0.0020 per share.

255. About 12 minutes after having executed his final buy order on January 20, 2021, Gallagher tweeted an alert to his followers and readers: “\$ARST WINK HINT!”

256. On January 20, 2021, Gallagher sent a reply DM to Associate I: “arst looks good, hope alert tomorrow sends it”.

257. On January 20, 2021, Gallagher tweeted a tout list that included “\$arst hint wink again” (referencing the earlier soft alert he had tweeted).

258. ARST’s trading volume spiked from 35,716,696 shares traded on January 19, 2021 to 189,185,177 shares traded on January 20, 2021 — the day of Gallagher’s alerts. ARST’s adjusted closing price jumped from \$0.0013 per share on January 19 to \$0.0021 on January 20, 2021, representing approximately a 61.5% increase in ARST’s share price coinciding with Gallagher’s buy alerts.

259. On January 21, 2021, Gallagher tweeted at least nine touts for ARST, including: “\$ARST hope you got in on the wink and hint yesterday! Said alerting today!” and “ARST!! CHALLENGE BUY!! IVE BEEN WAITING FOR PERFECT ENTRY!! NOW IS THE TIME!! \$ARST!! LOAD THIS RUNNER!!”

260. On January 22, 2021, Gallagher sold, undisclosed 3,224,274 shares of ARST, approximately 35% of his holdings of ARST, at prices from \$0.003 to \$0.0036 per share.

261. On January 22, 2021, after the market closed, Gallagher tweeted another tout list: “Monday list . . . \$ARST . . . RETWEET = follow”.

262. On January 24, 2021, Gallagher tweeted: “I made a million dollars last week! 1.5 million dollars this week!! . . . \$arst . . .to name a few will make this happen!!”

263. On January 25, 2021 at 9:52 a.m., Gallagher tweeted: “Friday ALERTS!! \$ARST . . . Saturday alert!!”

264. On January 25, 2021, from 1:19 p.m. to 2:52 p.m., Gallagher sold 504,230 shares of ARST, approximately 8% of his holdings of ARST, at \$0.0054 per share.

265. On the evening of January 25, 2021, Gallagher claimed credit for moving ARST’s share price: “\$arst has been green big everyday since alert!! Thanks for noticing!” Gallagher also tweeted a buy tout list: “Cheap runners big gain potential 100% - 100000% . . . \$ARST . . .”.

266. On January 26, 2021, at about 1:17 p.m., Gallagher sold, undisclosed, 1,495,770 shares of ARST, approximately 27% of his holdings of ARST, at \$0.0036 per share.

267. On January 29, 2021, Gallagher sold, undisclosed, 362,000 shares of ARST, approximately 9% of his holdings of ARST, at \$0.0025 per share.

268. On February 2, 2021, from about 3:30 p.m. to 3:45 p.m. Gallagher sold, undisclosed, 579,030 shares of ARST, approximately 16% of his holdings of ARST, at \$0.0030 per share. That evening, Gallagher tweeted: “\$arst alerted a bit ago!! Big things soon.”

269. On February 4, 2021, Gallagher sold, undisclosed, 225,280 shares of ARST, approximately 7% of his holdings of ARST, at \$0.0035 per share. That evening, Gallagher tweeted two buy tout list with ARST: “Micro pennies best” and “Sub penny best of the best”. Each received about 35 retweets and over 100 “likes”.

270. On February 13, 2021, Gallagher tweeted a tout list, “Part 2 cheap otc I own”,

which included \$arst.

271. On February 26, 2021, Gallagher sold, undisclosed, his remaining 2,833,690 shares of ARST at prices from \$0.0025 to \$0.0026 per share.

272. On March 24, 2021, the Commission ordered a temporary trading suspension of ARST because, among other things, “certain social media accounts may have been or may be engaged in a coordinated attempt to artificially influence” share prices.

273. ARST’s adjusted close share price rose from \$0.0013 on January 19, 2021 —the day prior to Gallagher’s first buy alert— to a high of \$0.0042 per share on February 9, 2021. During this period of time alone, Gallagher tweeted approximately 37 ARST buy touts while he sold off approximately 69% of his ARST shares.

SCALPING OF ASTA

274. Gallagher made approximately \$46,500 in profits by engaging in a scheme to scalp shares of Astra Veda Corporation (“ASTA”), which he traded between July 27, 2021 and September 28, 2021.

275. On July 27, 2021, ASTA announced in a press release that it was changing its name and ticker symbol from WorldFlix, Inc. (WRFX”) to ASTA.

276. Gallagher bought and sold millions of shares of WRFX between January 11, 2021 and Jul 26, 2021. On July 27, 2021, Gallagher’s remaining 5,000,000 WRFX shares were converted to ASTA shares.

277. From July 30, 2021 through September 2, 2021, Gallagher tweeted at least 100 touts of ASTA. For example: on August 31, 2021: “Wednesday list . . . \$asta”. On September 1, 2021: “FYI \$asta bottom full reversal!”; “\$asta”; “\$asta back to #1 fool shorts”; and another “\$asta”. On September 2, 2021, at 8:54 a.m., he tweeted: “Let’s have fun today. Be nice to each

other and buy . . \$asta . . . win long get rich and retire”; and then tweeted again at 10:27 a.m.: “\$asta”.

278. On September 2, 2021, Gallagher sold, undisclosed, 1,000,000 shares of ASTA, approximately 20% of his holdings of ASTA, at prices from \$0.0116 to \$0.0119 per share.

279. On September 6, 2021, Gallagher tweeted a tout list with “\$asta” and, “Pick three big green stocks tomorrow. Winner gets to brag and I’ll give a shout-out I pick . . . \$asta. Lets all play.” On September 9, 2021, Gallagher tweeted a buy tout list, “Friday list! . . . \$asta . . .”.

280. On September 10, 2021, Gallagher sold, undisclosed 79,405 shares of ASTA, approximately 2% of his holdings of ASTA, for \$0.0071 per share.

281. On September 15, 2021, Gallagher sold, undisclosed, 920,595 shares of ASTA, approximately 23% of his holdings of ASTA, at \$0.0071 per share.

282. On September 20, 2021, Gallagher tweeted his buy tout list: “Tuesday list . . . \$asta . . .”.

283. On September 21, 2021, in the evening, Gallagher tweeted a buy tout list: “OTC is hot again! . . . Bonus \$asta if you can! You will not find a better list!”.

284. On September 23, 2021, Gallagher sold, undisclosed, 1,000,000 shares of ASTA, approximately 33% of his holdings of ASTA, at prices between \$0.0114 and \$0.0119 per share.

285. On September 23, 2021, while Gallagher was selling his shares, he tweeted: “\$asta super good! Super long! . . .”.

286. On Friday September 24, 2021 Gallagher tweeted a buy tout list: “Monday list . . . \$asta buy if you can . . .” with \$asta as his #3 ranked buy pick.

287. On September 26, 2021, Gallagher tweeted: “\$asta! Bitches!” and, in response to a different tweet where the user said they were going to buy ASTA: “\$asta! Feels good to be

secure in a OTC stock?”.

288. On Tuesday September 28, 2021, Gallagher sold, undisclosed, his remaining 2,000,000 shares of ASTA at \$0.008 per shares.

SCALPING OF ATOS

289. Gallagher made approximately \$53,500 in net profits by engaging in a scheme to scalp shares of Atossa Therapeutics Inc. (“ATOS”), which he traded between January 19, 2021 and February 9, 2021.

290. On January 19, 2021, at approximately 7:20 a.m., Gallagher bought 21,000 shares of ATOS (prior to the market opening) at prices from \$1.31 and \$1.32 per share. Approximately 27 minutes later, at 7:47 a.m., Gallagher sent a DM to Associate C: “ATOS I went heavy . . . radio small cap news coming . . .” . (Gallagher exchanged DMs with Associate C concerning the manipulation of the share price of at least 14 issuers).

291. Gallagher’s reference to “radio” is understood to refer to Associate R.

292. At 7:55 a.m. on January 19, 2021, after his purchase of ATOS shares, Gallagher re-tweeted a promotion of ATOS from an associate and added, “\$atos added 20K shares of this!! PR news coming Covid!”

293. On January 29, 2021, Gallagher tweeted a tout list with ATOS: “Small cap list! Hold forget and win . . . All green big green you need these!”

294. On February 3, 2021, Gallagher tweeted: “\$atos im very heavy in!”; and falsely tweeted that he had bought thirty thousand shares (instead of twenty-one thousand shares).

295. On February 4, 2021, Gallagher tweeted three touts: “\$ATOS!! CANCER KILLER!! ITS ROCKING!!”; and “\$ATOS IS HOT!”; and a tout list with ATOS as his #2 buy recommendation: “Small cap list . . . money list big easy green no brainer holds . . \$atos . . . All

green easy money!”

296. On February 5, 2021, Gallagher sold, undisclosed, 10,000 shares of ATOS, approximately 48% of his holdings of ATOS, at \$4.00 per share.

297. On February 7, 2021, Gallagher tweeted another tout list: “Small cap list . . . money list big easy green no brainer holds . . . \$atos . . .”.

298. On February 9, 2021, Gallagher sold, undisclosed, his remaining 11,000 shares of ATOS at \$3.74 per share.

SCALPING OF AZFL

299. Gallagher made approximately \$6,700 in profits by engaging in a scheme to scalp shares of Amazonas Florestal Ltd. (“AZFL”), which he traded between February 10, 2021 and March 22, 2021.

300. On February 5, 2021, Gallagher received a DM from Associate J: “Azfl”. On February 6, 2021, Gallagher received a DM from another twitter user: “Wanted to drop a symbol im certain youd greatly appreciate . \$AZFL”.

301. On February 10, 2021, Gallagher bought 10,000,000 shares of AZFL for prices from \$0.0024 to \$0.0025 per share.

302. On February 11, 2021, Gallagher tweeted a tout list “Friday list!” with \$azfl on that list. The next day, he tweeted: “\$AZFL THIS IS A GREAT BUY!! BIG GREEN NEXT WEEK!! IMO!”; “\$AZFL!! LETS GET YOU RICH!”; and another tout list with “Tuesday hot tickers . . \$azfl...”.

303. On February 13, 2021, Gallagher tweeted another tout list: “...cheap otc’s . . \$azfl . . .”.

304. On February 17, 2021, Gallagher sold, undisclosed, 1,000,000 AZFL shares,

approximately 10% of his holdings of AZFL, at \$0.0031 per share.

305. On Thursday, February 18, 2021, Gallagher tweeted another tout list: “Thursday list! What’s hot! . . . \$azfl . . .”.

306. On February 19, 2021, Gallagher sold, undisclosed, his remaining 9,000,000 shares of AZFL at prices from \$0.0024 to \$0.0025 per share.

307. On March 8, 2021, Gallagher bought another 9,000,000 shares of AZFL for prices from \$0.0022 to \$0.0023 per share.

308. On March 10, 2021, Gallagher tweeted a soft alert: “\$azfl !!! Wink”; and “\$azfl I mentioned I bought this the other day! I like it!”; and he tweeted a tout list with \$azfl.

309. On Thursday, March 11, 2021, at 8:37 a.m., Gallagher tweeted: “\$azfl will be hot today as well!!” and “\$azfl”.

310. On Thursday March 11, 2021, starting at 10:16 a.m., Gallagher sold, undisclosed, 5,000,000 shares of AZFL, approximately 56% of his holdings of AZFL, at prices from \$0.0042 to \$0.0049 per share. That evening, he tweeted another two tout lists: “hot tickers...Friday...\$azfl” and “My hottest OTC’s...\$azfl”.

311. On Monday, March 15, 2021, Gallagher tweeted a tout list: “Tuesday list!” that included \$azfl.

312. On the morning of March 22, 2021, Gallagher sold, undisclosed, 1,000,000 shares of AZFL, approximately 25% of his holdings of AZFL, at \$0.005 per share.

SCALPING OF BBDA

313. Gallagher made approximately \$7,200 in net profits by engaging in a scheme to scalp shares of Bebida Beverage Co., (“BBDA”), which he traded between February 9, 2021 and February 19, 2021.

314. On February 9, 2021, Gallagher bought 20,000,000 shares of BBDA for \$0.0009 per share.

315. On the same day, after the market closed, Associate X sent a DM to Gallagher: “Alert BBDA shr Fliers”. Gallagher responded: “ok 935 alert Wednesday bbda” and “ok thoughts BBDA THURSDAY DKGR FRIDAY I CAN HAVE MY TEAMS LOAD FOR A DAY THE BIGGER POPS THE NEXT DAY, I THINK WE SLOW ROLL FOR HIGHER GAINS”.

316. On February 10, 2021, shortly after the market opened, Associate X sent a DM to Gallagher: “BBDA They should all be in! Fire when Ready! I’ll be Tweeting like Crazy!”. On the same day, Gallagher sent a DM to Associate X: “BBDA TOMORROW ALERT FOR ME”.

317. On February 10, 2021, Gallagher sent DMs to three associates (Associates X, CC and XX) saying: “bbda tomorrow”; and “BBDA”; and “BBDA STEV”.

318. On February 11, 2021, Associate C sent a DM to Gallagher prior to the market open: “Bbda play is compromised”.

319. On February 11, 2021, shortly after the market opened, Gallagher tweeted: “\$bbda!! Challenge alert!\$BBDA IMO WILL SOAR TO NEW HIGHS!!” with a GIF which read “ALERT!!!!”.

320. Later that same day, Gallagher tweeted another alert for BBDA: “\$BBDA GREAT DIP ADD HERE!! IMO!! CHALLENGE ALERT!” with a GIF which read “ALERT!!!!” The same day, Gallagher also tweeted: “Hey!! who was dumb and sold \$bbda on the bid? great buy time now!! IMO!” and “Friday list! . . . 7 \$BBDA . . .”.

321. However, that same day, Gallagher sold, undisclosed, 2,000,000 shares of BBDA, approximately 10% of his holdings of BBDA, at \$0.0032 per share.

322. On February 11, 2021, Associate C DM'd Gallagher: "If we don't keep at Bbda they'll think it was a pump and dump". Shortly after, Gallagher sent a DM to Associate X: "BBDA WE NEED HELP".

323. Trading volume of February 11, 2021 was approximately 711 million shares — a 185% increase over the prior day's trading volume — and BBDA's adjusted close was \$0.0028, a 12% increase over the prior day's close.

324. Gallagher received a DM from a twitter user on the afternoon of February 11, 2021: "BBDA looks fishy. I've searched and searched and all I can find is negative.". Minutes later, Gallagher sent a DM to Associate C: "bbda not good lol".

325. On February 12, 2021, Gallagher tweeted: "My largest holdings in order! . . . 17 \$BBDA . . .".

326. On February 12, BBDA's adjusted close fell 12% from the prior day. Its share price continued to decline each day over the next week.

327. On February 13, 2021, Gallagher tweeted: "Some cheap otc's I own . . . 22 \$BBDA".

328. On February 14, 2021, Gallagher sent a DM to Associate F: "bbda a dog?"

329. On February 16, 2021, Gallagher sold, undisclosed, 2,000,000 shares of BBDA, approximately 11% of his holdings of BBDA, at \$0.0019 per share.

330. On February 17, 2021, Gallagher retweeted a tweet by @[twitter user] tagging him, which read: "\$BBDA nice consolidation on Friday with a strong close. Should explode this week". That same day, Gallagher also tweeted: "\$bbda longs win here. I been adding dips" as well as "\$bbda it's coming!"

331. Shortly after these tweets on February 18, 2021, Gallagher sent a DM to

Associate F: “bbda honest opinion. i cant have dogs promoted. flex play past”. Gallagher is understood to be telling Associate F that the manipulation (“play”) initiated by Associate X (“flex”) has run its course.

332. On February 19, 2021, Gallagher sold, undisclosed, his remaining 16,000,000 shares of BBDA at prices from \$0.009 to \$0.0014 per share.

333. On February 26, 2021, the Commission ordered a temporary trading suspension of BBDA because of, among other things, “questions about whether social media accounts have been attempting to artificially increase” share prices.

334. BBDA’s price per share increased from \$0.0005 on February 5, 2021 to a high of \$0.0028 on February 11, 2021.

SCALPING OF BFCH

335. Gallagher made approximately \$55,600 in net profits engaging in a scheme to scalp shares of BitFrontier Capital Holdings, Inc. (“BFCH”), between February 8, 2021 and February 26, 2021.

336. On February 8, 2021 at 8:06 a.m., Gallagher DM’d Associate R: “Good morning busy day for me! What you thinking the play of the day?” Associate R responded: “I think BFCH will be a great one”.

337. On February 8, 2021 at 8:55 a.m., Gallagher sent a DM to Associate OO: “...bfch”.

338. At approximately 9:30 a.m. on February 8, 2021, Gallagher purchased 200,000 shares of BFCH for prices from \$0.0489 to \$0.052 per share.

339. On February 9, 2021, at 8:50 a.m., Associate R sent a DM to Gallagher: “And the BFCH were you able to add”. Gallagher responded: “YES” and “BFCH 345?”. “BFCH 345” is

understood to mean that an alert would be tweeted out by Gallagher and the associate to promote BFCH at approximately 3:45 p.m. Associate R then continued the conversation and said: “I like the BFCH today...”.

340. On February 9, 2021, before Gallagher began to tweet about BFCH, he purchased another 60,000 shares of BFCH for prices from \$0.1987 to \$0.20 per share.

341. On February 9, 2021, at 3:47 p.m., Gallagher tweeted: “\$BFCH !! bitcoin play!! Challenge alert I’m loaded in \$BFCH and i’m adding more right now!! Why? because I only alert the good stuff!! IMO \$BFCH IS CHEAP AND A GREAT BUY!! RUNS FOR DAYS!!” Gallagher also included a flashing red “ALERT!!!!” GIF in the tweet. This is understood to be Gallagher’s “BFCH 345” alert.

342. On February 9, 2021, Gallagher tweeted another eight tweets for BFCH, including: “\$bfch!! Runner!”, “ALERT RECAP!! ALL UP AND ALL WILL GO UP! ... \$BFCH THEY”RE GREAT!!”; and “\$BFCH!! WINNER!!”

343. On February 10, 2021, at 6:50 a.m., Gallagher tweeted: “Wednesday hot stocks! 10 for 10 green today! 1 \$bfh ...”.

344. Later that morning, but before the market opened, Gallagher sent a DM to Associate R: “good morning, what we playing today an loading today? bfch i really like that one”.

345. On that same day, from approximately 10:07 a.m. through 11:02 a.m., Gallagher sold, undisclosed 110,000 shares of BFCH, approximately 42% of his holdings of BFCH, at prices ranging from \$0.2249 to \$0.265 per share.

346. During the evening of February 10, 2021, Gallagher tweeted: “Thursday list! ... \$bfch”.

347. On Thursday, February 11, 2021, Gallagher received a DM from Associate C:

“BFCH”. Gallagher responded: “BFCH IS GREAT...”.

348. After this conversation, Gallagher tweeted: “[@ three Twitter users] \$bfch is great!”.

349. On February 12, 2021, Gallagher tweeted: “yes!!! i need to add this last of the \$bfch blood!”; and “\$bfch massive potential! Dollars easy”; and two tout lists with BFCH on each of the lists.

350. On February 12, 2021, at 12:39 p.m., Gallagher bought 10,000 shares of BFCH for \$0.269 per share.

351. Later on February 12, 2021, Gallagher sold, undisclosed, 60,000 shares of BFCH, approximately 38% of his holdings of BFCH, at \$0.0288 per share.

352. On February 13 and 16, 2021, Gallagher tweeted a tout for BFCH.

353. On February 19, 2021, Gallagher tweeted nine touts for BFCH, including: “\$BFCH !! #BTC SOARING!!!!”; and “\$bfch new highs!! Hope you didn’t sell!! Dollars are easy here!”; and “My favorite smartest trader I know is @[Associate] buy his gear buy his plays! He's taught me a lot! He's good smart people! \$bfch \$ceos \$brll \$mmmw i can go on for hours!! Money plays! Follow @[Associate]”.

354. Later on February 19, 2021, after these tweets, Gallagher sold, undisclosed, 10,000 shares of BFCH, approximately 10% of his holdings of BFCH, at \$0.50 per share.

355. From February 20, 2021 through February 24, 2021, Gallagher tweeted another eleven touts for BFCH, including three tout lists.

356. On February 24, 2021, Gallagher sold, undisclosed, 30,000 shares of BFCH, approximately 33% of his holdings of BFCH, at prices ranging from \$0.39 to \$0.411 per share.

357. On February 25, 2021, Gallagher tweeted: “\$bfch” and “Friday list!! ... \$bfch...”.

358. On February 25, 2021, Gallagher sold, undisclosed, 10,000 shares of BFCH, approximately 17% of his holdings of BFCH, at \$0.377 per share.

359. On February 26, 2021, Gallagher sold, undisclosed, his remaining 50,000 shares of BFCH at prices ranging from \$0.3011 to \$0.304 per share.

SCALPING OF BLSP

360. Gallagher made approximately \$48,000 in profits by engaging in a scheme to scalp shares of Blue Sphere Corp (“BLSP”), which he traded between December 12, 2020 and March 15, 2021.

361. BLSP’s common stock was quoted and traded on OTC Link. It now has Dark or Defunct and Caveat Emptor skull and crossbones warnings.

362. On December 29, 2020, at about 1:42 p.m., Gallagher received a DM from a twitter user: “BLSP Check the DD there’s a bunch on twitter virtually silent”.

363. From approximately 1:50 p.m. to 1:54 p.m. that day, Gallagher bought 10,000,000 shares of BLSP for \$0.0050 per share.

364. On January 1, 2021, Gallagher tweeted, “Trips to pennies. Everyones fav!! . . . \$blsp . . RETWEET gets a follow”. On January 5, 2021, Gallagher tweeted a buy tout list that included “\$blsp”.

365. On January 6, 2021, Gallagher tweeted his first of six touts. His first tout, “\$BLSP WINK”, was tweeted at about 10:37 a.m. Gallagher discussed his use of the word “wink” to tout a stock in connection with his touting of another stock (EHOS), discussed below at ¶ 829. The same day, between approximately 11:26 a.m. and 12:05 p.m., Gallagher sold, undisclosed 7,000,000 shares of BLSP, approximately 70% of his holdings of BLSP, at prices from \$0.0019 to \$0.0020 per share and bought 2,000,000 shares of BLSP for \$0.0020 per share.

366. Gallagher sent three DMs to Associate Z on January 6, 2021, which were sent just prior to, or during his sales, on January 6, 2021: “blsp and dtii”; and “CHAT BLSP keep dtii quiet end of day high”; and “. . . blsp chat it up”.

367. Gallagher also sent at least 20 DMs to twitter users, including Associates I, L, N, Z, DD, PP, BBB- PPP, on January 6, 2021, that were sent just prior to, or during his sales of BLSP on January 6, 2021, which said, “BLSP AND DTII LATE DAY ALERTS IF YOU WANT IN”. At the end of the day, Gallagher tweeted a buy tout list that included \$BLSP.

368. On January 7, 2021, Gallagher sent a DM to a twitter user: “worked hard on that blsp someb of my best work”. Gallagher is understood to be crediting his tweets for having moved BLSP’s share price.

369. On January 7, 2021, Gallagher sold, undisclosed, 2,000,000 shares of BLSP, approximately 40% of his holdings of BLSP, at prices from \$0.0045 to \$0.0047 per share.

370. On January 9, 2021, Gallagher tweeted his buy tout list with “\$blsp . . . These are my weekly favs . . .”.

371. On January 11, 2021, Gallagher sold, undisclosed, 1,000,000 shares of BLSP, approximately 33% of his holdings of BLSP, at \$0.0046 per share.

372. On January 26, 2021, Gallagher tweeted, “All past alerts! 900% to 2700% gains . . \$BLSP . . . and people call me a dumper! Shame on you!”.

373. On Thursday, January 28, 2021, Gallagher tweeted his buy tout list, “Friday list . . \$BLSP . . . Let’s get them all!”

374. On January 29, 2021, Gallagher sold, undisclosed, 500,000 shares of BLSP, approximately 25% of his holdings of BLSP, at \$0.0161 per share.

375. On Sunday, January 31, 2021, Gallagher tweeted two tout lists: “Monday big

green . . . \$BLSP” and “Hot cheap stocks this week! . . . \$BLSP”.

376. On February 1, 2021, Gallagher sold, undisclosed, 100,000 shares of BLSP, approximately 7% of his holdings of BLSP, at \$0.0192 per shares.

377. On February 2, 2021, Gallagher tweeted, “\$BLSP never sell!”

378. On February 4, 2021, Gallagher sold, undisclosed, 200,000 shares of BLSP, approximately 14% of his holdings of BLSP, at \$0.017 per share.

379. On February 8, 2021, Gallagher tweeted his buy tout list, which included “\$blsp”. The next day, February 9, 2021, he tweeted, “Zero stress! Hold long get rich stocks! . . . \$BLSP . . . Put 1k in all these you have a million in one year! . . .”. It is understood that Gallagher sent that tweet at or about 1:30 p.m. At approximately 2:38 p.m., Gallagher sold, undisclosed, 200,000 shares of BLSP, approximately 17% of his holdings of BLSP, at \$0.0339 per share.

380. On February 26, 2021, the Commission ordered a temporary trading suspension of BLSP “because of questionable trading and social media activity.” BLSP’s adjusted close share price rose from \$0.0006 on January 4, 2021 to \$0.0396 on January 20, 2021.

381. On February 28, 2021, Gallagher re-tweeted: “\$BLSP Buy buy buy and HOL. Then the price won’t drop. This can run 2000%+ on the Gray Market.”

382. On March 2, 2021, Associate C sent Gallagher a DM: “I sold blsp right before the halt. Made \$65K. Thanks for recommending. Was just looking at my realized gains”. Gallagher responded, “YES I DID VEY WELL ONLY HAD 1 MILL BLSP LEFT”.

383. On March 15, 2021, Gallagher profitably sold, undisclosed, his remaining 1,000,000 shares of BLSP at \$0.0095 per share.

SCALPING OF BMIX

384. Gallagher made approximately \$56,500 in net profits by engaging in a scheme to scalp shares of Brazil Minerals, Inc., (“BMIX”), which he traded between December 21, 2020 and February 18, 2021.

385. On December 21, 2020, Gallagher bought 2,000,000 shares of BMIX for prices from \$0.0021 to \$0.0022 per share.

386. On the afternoon of Thursday, January 21, 2021, Gallagher tweeted: “What a great day!! . . . \$bmix +92% . . . Hope you all are green!! We are a great team! Great things happen when you hold!” Just over an hour later, he tweeted his buy tout list: “Friday list! . . . 14\$BMIX...”

387. The next afternoon, on January 22, 2021, Gallagher sold, undisclosed, 700,000 shares of BMIX, approximately 35% of his holdings of BMIX, at prices from \$0.0072 to \$0.0082 per share.

388. On Friday, January 22, 2021, Gallagher tweeted a Monday tout list that included “\$bmix”.

389. On January 24, 2021, he tweeted “\$bmix!! I love this too”.

390. On January 25, 2021, Gallagher retweeted another twitter user thanking him for telling her to buy “\$BMIX” and shortly thereafter, at 12:30 p.m., Gallagher tweeted again: “\$bmix!! I love this stock!” with a GIF “I LOVE IT”.

391. Later that afternoon, from approximately 2:00 p.m. through 3:45 p.m., Gallagher sold into these buy touts, selling 392,266 shares of BMIX, approximately 30% of his holdings of BMIX, at prices ranging from \$0.0343 to \$0.049 per share.

392. On January 25, 2021, Gallagher tweeted: \$bmix good stuff” and “Follow \$bmix

turn alerts on know what you own”.

393. On the early morning of January 26, 2021, Gallagher tweeted: “What a great three months! Thanks to . . . \$bmix . . .”; “\$bmix the run goes on!!” and “All past alerts! 900% to 2700% gains \$bmix . . . and people call me a dumper! Shame on you!”

394. On January 26, 2021, starting at about 11:14 a.m., Gallagher sold, undisclosed, 307,734 shares of BMIX, approximately 34% of his holdings of BMIX, at prices from \$0.054 to \$0.074 per share.

395. During the afternoon of Tuesday, January 26, 2021, Gallagher tweeted his Wednesday buy tout list: “Wednesday list . . . 7 \$bmix”.

396. From the evening of January 29 through the early afternoon of January 30, 2021, Gallagher tweeted three buy touts for “\$bmix”. Two ranked BMIX as his number 1 buy recommendation: “The cheap best!! 1 \$bmix . . .”. In his third tout, Gallagher tweeted: “\$bmix any fans? Another trips to pennies alert!!” In the same tweet, he advised, “Patience” and “Sometimes it only takes a few weeks!!”

397. On February 1, 2021, Gallagher sold, undisclosed, 250,000 shares of BMIX, approximately 42% of his holdings of BMIX, at prices from \$0.033 to \$0.039 per share.

398. On Wednesday, February 3, 2021, Gallagher tweeted his Thursday tout list, which included “\$bmix” in his buy recommendations. On the morning of February 4, 2021, Gallagher retweeted the same buy recommendation from the day before. Later in the morning of February 4, 2021, several hours after retweeting his own buy recommendation, Gallagher sold, undisclosed, 150,000 shares of BMIX, approximately 43% of his holdings of BMIX, at prices ranging from \$0.0478 to \$0.048 per share.

399. On Thursday, February 4, 2021, prior to the market opening, Gallagher tweeted a

tout list that included a buy recommendation for BMIX. In one tweet, he called his tout list “Friday green!!”

400. On February 4, 2021, after the market closed, Gallagher tweeted: “Friday green!! . . . 11 \$bmix . . . Retweet!”; and, “The cheap futures best over a penny! . . . 2 \$bmix”.

401. On February 18, 2021, Gallagher sold his remaining 200,000 BMIX shares at \$0.0302 per share.

SCALPING OF BNGO

402. Gallagher made approximately \$96,700 in profits by engaging in a scheme to scalp shares of Bionano Genomics, Inc. (“BNGO”), which he traded between December 17, 2020 and February 4, 2021.

403. On December 17, 2020, at about 11:36 a.m. Associate R sent a DM to Gallagher: “BNGO .50 starter Confirmation . . .”

404. On December 17, 2020, starting at about 11:56 a.m., Gallagher bought 20,000 shares of BNGO for prices ranging from \$0.05095 to \$0.05096 per share.

405. On December 18, 2020, Associate R sent a DM to Gallagher: “I will also send out the BNGO end of day”.

406. On December 18, 2020, Gallagher retweeted Associate R tweet, which promoted BNGO and wrote, “\$BNGO i SUPPORT THIS SMALL CAP GOLD! 20K SHARES IM IN!”

407. On December 29, 2020, Gallagher tweeted four touts: “im up 128% on \$bngo thank you @[Associate]” (retweeting his Associate); and “dammmnnn @[Associate] \$bngo 200% gains in a week great! thank you OTC god!!”; and “@[Associate] you see this massive \$bngo after hours!! Lol. 240% gains thanks buddy!”; and “. . . \$bngo get your ass some shares! . . . You can buy till 8pm est! Thanks again @[Associate]”.

408. On December 30, 2020, Gallagher tweeted, “I have to say thank you @[Associate] for \$bngo up 400% in at 50 cents . . .” and “\$bngo even I alerteT AH!!! It ain’t stopping!”

409. On December 31, 2020, Gallagher tweeted: “Shout out to the great @[Associate R] I bought 20k shares at 50 cents. I have no clue what \$bngo even does! But it does fucking green!! Thank you and follow @[Associate R] The best in the business!”; and, “\$BNGO Look at it AH, up a buck!!! You can buy until 8 pm!”; and, “2021 life changers . . . \$bngo . . . If 10% hit 50 cents you are a millionaire! It’s that simple! With minimal shares!”; and “. . . much thanks to \$bngo!!”.

410. On January 2, 2021, Gallagher tweeted: “\$bngo im holding it been up huge everyday”.

411. On January 4, 2021, Gallagher sold, undisclosed, 10,000 shares of BNGO, 50% of his holdings of BNGO, at \$4.78 per share and bought 10,005 shares for prices ranging from \$6.26 to \$6.38 per share.

412. On January 4, 2021, Gallagher tweeted, “...\$bngo up 60% today look like a good day!”; and “Small cap gold all from @[Associate R] 1 \$bngo 1300 gains in .50...All green! 100% on small caps!”; and “My 3rd AH small cap alert! . . . \$bngo up 600% since last pm alert . . .”; “20k shares and lovev \$bngo”.

413. On January 6, 2021, Gallagher sold, undisclosed, his remaining 20,005 shares of BNGO at prices from \$4.70 to \$4.71 per share.

414. On January 11, 2021, Gallagher bought 5,000 shares of BNGO for prices ranging from \$5.85 and \$6.29 per share.

415. On January 20, 2021, Gallagher tweeted a tout list, “Great small cap safe winners!

. . Bonus \$bngo I bought at a buck! Now 8 bucks! Some of these will do the same”.

416. On Sunday, January 24, 2021, Gallagher retweeted a tout list from an Associate: “Monday potential buy list: . . . \$bngo . . .”.

417. On Tuesday, January 26, 2021, Gallagher sold, undisclosed 2,500 shares of BNGO, 50% of his holdings of BNGO, at prices from \$12.1001 to \$12.1091 per share.

418. On January 29, 2021, Gallagher tweeted a buy tout list: “Small cap list! Hold forget and win” with his #1 buy recommendation “\$bngo . . . All green big green you need these!”.

419. On January 30, 2021, Gallagher re-tweeted the same tout list: “Small cap list! Hold forget and win 1 \$bngo . . .”.

420. On February 4, 2021, Gallagher sold, undisclosed, his remaining 2,500 shares of BNGO at \$11.65 per share.

SCALPING OF BOTY

421. Gallagher made approximately \$36,000 in net profits by engaging in a scheme to scalp shares of Lingerie Fighting Championship (“BOTY”), which he traded between February 5, 2021 and February 23, 2021.

422. On February 5, 2021, at approximately 10:43 a.m., Gallagher received a DM from Associate A: “I[]ve been looking at boty”. Minutes later, Gallagher bought 13,000,000 shares of BOTY at \$0.0025 per share.

423. On February 5, 2021, subsequent to his purchase of BOTY shares, Gallagher tweeted and alerted: “Don't laugh! \$boty is gonna be big!!”; and, “buy \$boty!! It's going higher! And it's kinda fun to say and do!”; and, “\$boty!!!”; and “BUY \$BOTY ITS FUN!!”; and “ Best trading day ever! Thanks to smart traders selling smart! \$boty up 178% . . . Every alert higher!

Post your gains tell your story!! Tell your friends We all get rich Sell smart!”

424. On Sunday, February 7, 2021, at about 9:06 p.m., Gallagher tweeted his buy alert tout list: “Monday [fire icon] . . . \$boty . . . All winners here!! Do your DD Make money!” Multiple followers commented on the list, such as: “A lot of money to be made with this list!” and “Hell yeah . . .”.

425. On February 8, 2021, Gallagher sold, undisclosed 3,000,000 shares of BOTY, approximately 23% of his holdings of BOTY, at prices ranging from \$0.006 to \$0.0062 per share.

426. On February 9, 2021, Gallagher sold, undisclosed, 2,000,000 shares of BOTY, approximately 20% of his holdings of BOTY, at prices ranging from \$0.005 to \$0.0071 per share.

427. While Gallagher was profitably selling his BOTY shares into his buy recommendations, he received a DM on February 9, 2021 from a twitter user, “Lost money with tsnp, Phil boty”.

428. On February 10, 2021, Gallagher sold, undisclosed, 1,000,000 shares of BOTY, approximately 13% of his holdings of BOTY, at \$0.005 per share.

429. On February 12, 2021, Gallagher sold, undisclosed, 2,000,000 shares of BOTY, approximately 29% of his holdings of BOTY, at \$0.0039 per share.

430. On February 13, 2021, Gallagher tweeted a buy recommendation list of “Part 2 cheap otc I own” listing “\$boty” as his #1 buy recommendation.

431. On February 16, 2021, Gallagher tweeted: “I see \$boty moving!!”.

432. On February 18 and 20, 2021, a twitter user sent two DMs to Gallagher: “I lost BoTY and TXTM -60%” and “Can you see my position. Should I sell . . . boTy?”

433. On February 22, 2021, Gallagher tweeted, “hey!! We got some \$boty moving!!”

434. On February 23, 2021, Gallagher tweeted, “OTC combo pack!!! \$boty . . . !!! here we go!! \$boty . . . !! Love the otc!!”. Minutes later, Gallagher sold, undisclosed, his remaining 5,000,000 shares of BOTY at prices from \$0.0025 to \$0.0028 per share.

SCALPING OF BRNW

435. Gallagher made approximately \$29,600 in net profits by engaging in a scheme to scalp shares of Brainy Brawn Inc., (“BRNW”), between October 27, 2020 and February 26, 2021.

436. On October 26, 2020 ,at about 11:41 a.m., Gallagher received a DM from Associate B: “dont miss also BRNW...”.

437. The same day Gallagher received two DMs from Associate JJJJ: “BRNW Next VISM with a much better share structure”; and then: “Disregard BRNW – Being told they has some fake shit happen earlier this year. Could still run but I’m not gonna tweet it.”

438. On October 27, 2020, at approximately 1:16 p.m., Gallagher purchased 4,000,000 shares of BRNW for \$0.0006 per share.

439. Just minutes later, and throughout the afternoon, Gallagher tweeted nine buy touts for BRNW including: “\$brnw load cheap hasnt ran yet!!”; “... \$brnw trips runner!!”; “\$brnw Im screaming!!”; and “Tequila Tuesday starts now!! buy... \$brnw... LOVE YOU ALL!! BUY MY ALERTS!! ALL YOUR DREAMS WILL COME TRUE!”

440. While touting BRNW on October 27, 2020, Gallagher sold, undisclosed, 3,070,000 shares of BRNW, approximately 76 % of his holdings of BRNW, at prices from \$0.0007 to \$0.0009 per share, and, on October 28, 2021, Gallagher sold, undisclosed, his remaining 930,000 shares of BRNW at \$0.0006 per share.

441. On January 21, 2021, Gallagher received a DM from Associate UU: “BRNW 600 mil float, verified profile getting volume”.

442. On January 27, 2021, at approximately 9:30 a.m., Gallagher purchased 4,000,000 shares of BRNW for prices ranging from \$0.0019 to \$0.002 per share.

443. Later that day, Gallagher sent a DM to Associate KKKK: “brnw looks good”.

444. On February 3, 2021, Gallagher tweeted: “Great market day! For all those that say @AlexDelarge6553 pumps and dumps can kiss my ass!...”; and, “\$brnw wink!”; and, “... Big hitters..Watch for continuation tomorrow! \$BRNW...”; and “Thursday list... \$brnw”.

445. From February 5 through February 19, 2021, Gallagher tweeted another six touts for BRNW.

446. On February 19, 2021, Gallagher sold, undisclosed, 2,000,000 shares of BRNW, 50% of his holdings of BRNW, at prices ranging from \$0.0095 to \$0.0107 per share.

447. On February 21, 2021, Gallagher sent two DMs to Associate C: “brnw” and “brnw they were chatting”.

448. On February 22, 2021, Gallagher tweeted: “\$brnw hmmm i like this too!!”

449. On Tuesday, February 23, 2021, Gallagher tweeted: “Wednesday! List! ... \$brnw...” and “@[twitter user] oh it is!! \$brnw is great.”

450. From February 24 through February 26, 2021, Gallagher tweeted another six touts for BRNW, including two tout lists and: “\$BRNW MOVING UP MY LIST!!”

451. On February 26, 2021, Gallagher sold, undisclosed, his remaining 2,000,000 shares of BRNW at prices ranging from \$0.0082 to \$0.0087 per share.

SCALPING OF BZWR

452. Gallagher made approximately \$155,200 in net profits by engaging in a scheme to

scalp shares of Business Warrior Corporation, (“BZWR”), which he traded from January 7, 2021 to September 20, 2021.

453. On January 7, 2021, Gallagher received a DM: “BZWR ease into it, no alerting yet”.

454. On January 7, 2021, Gallagher bought 200,000 shares of BZWR for prices from \$0.035 to \$0.045.

455. On February 1 and 2, 2021, Gallagher bought 404,717 shares of BZWR for prices from \$0.0245 to \$0.043 per share.

456. On February 3, 2021, Gallagher sold, undisclosed, 4,717 shares of BZWR at \$0.0375 per share.

457. On February 8 and February 16, 2021, Gallagher bought a total of 210,000 shares of BZWR for prices from \$0.0459 to \$0.078 per share.

458. On February 17, 2021, Gallagher tweeted, “Patience! Block the hate! I will help you win! Or kill cancer! . . . \$bzw . . . hold these 5 first!”

459. On February 19, 2021, Gallagher tweeted three touts: “Check out \$bzw!! I like it! Its cheap!”; “End of the day buys IMO . . . \$bzw . . . Must owns!”; Best OTC stocks longs . . . \$bzw”.

460. On February 22, 2021, Gallagher sold, undisclosed, 2,075 shares of BZWR at \$0.129 per share.

461. On February 23, 2021, Gallagher sold, undisclosed, 17, 925 shares of BZWR, approximately 2% of his holdings of BZWR, at \$0.149 per share.

462. On February 23, 2021 at 8:34 p.m., Gallagher tweeted a tout list that included \$bzw.

463. On February 24, 2021, from about 10:28 a.m. to 3:30 p.m., Gallagher sold, undisclosed, 111,078 shares of BZWR, approximately 14% of his holdings of BZWR, at prices from \$0.15 to \$0.177 per share. In between his sales, Gallagher tweeted touts such as “\$BZWR!!”

464. On February 25, 2021, Gallagher bought 59,700 shares of BZWR for \$0.13 per share. After buying the shares, he sent two tweets: “\$BZWR!! iS A MUST OWN SOON TO BE DOLLARS!!!!IMO LETS SEE HOW THIS AGES!”; and “\$bzwr new highs!! Dollars coming!!”

465. Later that same day, February 25, 2021, Gallagher sold, undisclosed 70,472 shares of BZWR, approximately 10% of his holdings of BZWR, at prices from \$0.175 to \$0.1845 per share.

466. On February 25, 2021, at 10:08 p.m., Gallagher tweeted, “take profits none to small to gain confidence. . . . \$bzwr buy dips sell small portions on rips. And repeat you’ll win”.

467. From February 26, 2021, through September 8, 2021, Gallagher engaged in numerous buys and sales of BZWR shares. The net effect of these transactions was to increase his holdings of BZWR shares from 668,150 shares on February 25, 2021 to 2,669,041 shares on September 8, 2021.

468. During this period, Gallagher sent numerous touts promoting BZWR. Moreover, most of his sales of BZWR during this period were preceded by touts encouraging his readers and followers to buy BZWR stock. While many of the below sales constituted relatively small percentages of Gallagher’s holdings of BZWR (from less than 1% to 2-4%), they allowed Gallagher to take advantage of any profits generated by the difference between the price he purchased BZWR shares for and the price rise after his touts of BZWR.

469. The following are some, but not all, of his touts regarding, and purchases and

sales of, BZWR, during this period.

470. For example, on March 1, 2021, at about 9:52 a.m., Gallagher tweeted: “\$BZWR MY #2 NEW 53 WEEK HIGHS AGAIN!! TODAY!” Later on March 1, 2021, Gallagher sold, undisclosed, 93,150 shares of BZWR, approximately 9% of his holdings of BZWR, at prices from \$0.23 to \$0.268 per share.

471. On Tuesday March 2, 2021, at 5:21 p.m., Gallagher tweeted a buy tout list that included \$bzw. On March 3, 2021, Gallagher sold, undisclosed, 143,589 shares of BZWR, approximately 14% of his holdings of BZWR, at prices from \$0.25 to \$0.2599 per share. On March 8, 2021, Gallagher tweeted: “Two best dip buys . . . \$bzw you’ll be happy”; and, on March 9, 2021, prior to the market opening, “We will all be green today!! \$bzw . . . Be positive make money help others!”

472. On March 9, 2021, at the market open, Gallagher sold, undisclosed, 20,000 shares of BZWR, at prices from \$0.235 to \$0.240 per share.

473. On March 19, 2021, at 12:37 p.m., Gallagher tweeted a red alert (with a red GIF “ALERT!!!!”) “\$bzw growing this is the perfect buy time! . . . \$\$bzw strong buy alert!! . . . 1000% gains this year IMO”.

474. On March 19, 2021, starting at about 1:25 p.m., Gallagher sold, undisclosed, 20,400 shares of BZWR at \$0.1699 per share.

475. On May 26, 2021, just prior to the market open, Gallagher tweeted, “\$bzw!! Remember this one!! 300% growth over last month!! Growing huge!”

476. On May 26, 2021, Gallagher sold, undisclosed, 5,500 shares of BZWR at \$0.0959 per share.

477. On June 23, 2021, Gallagher tweeted: “\$bzw! This is good stuff! Set for take-off!

Retweets get a follow!”

478. Later on June 23, 2021, Gallagher sold, undisclosed, 7,500 shares of BZWR at \$0.108 per share.

479. Subsequent to these sales on Wednesday, June 23, 2021, Gallagher tweeted two buy tout lists with BZWR: “Thursday list . . . \$bzw” and “These are really all you need! . . . \$bzw”.

480. On June 23, 2021, Gallagher sold, undisclosed 7,500 shares of BZWR at \$0.108 per share.

481. On June 23 and 24, 2021, Gallagher bought 5,000 shares of BZWR for \$0.1054 to \$0.106 per share.

482. On June 24, 2021, Gallagher sold, undisclosed, 25,000 shares of BZWR at \$0.119 per share.

483. On the evening of June 24, 2021, Gallagher tweeted, “Real Companies/mergers with great charts. . . . no fake bullshit! Sell the crap get these . . . \$bzw . . . Join me! . . .”.

484. On June 25, 2021, Gallagher sold, undisclosed, 100,000 shares of BZWR, approximately 8% of his holdings of BZWR, at prices from \$0.118 to \$0.1348 per share.

485. On July 18, 2021, Gallagher tweeted, “OTC longs buy hold and forget and win! . . . \$bzw”. On July 19, 2021, Gallagher tweeted, “\$bzw earnings tomorrow! This is the buy before close! This could rocket tomorrow!”

486. On July 20, 2021, from 2:06 p.m. to 2:11 p.m., Gallagher sold, undisclosed, 40,000 shares of BZWR, at prices from \$0.1585 to \$0.159 per share.

487. On the same day, July 20, 2021, from 2:22 p.m. and 2:30 p.m., Gallagher bought 5,000 shares of BZWR for prices from \$0.1595 to \$0.1649 per share.

488. On July 20, 2021 from 2:52 p.m. to 2:58 p.m. Gallagher sold, undisclosed 40,000 of BZWR, at prices from \$0.174 to \$0.175 per share

489. From July 21, 2021 to August 10, 2021 (from 9:30 a.m. to 9:59 a.m.), Gallagher bought 595,768 shares of BZWR for prices from \$0.096 to \$0.199 per share.

490. From August 9 to 10, 2021, Gallagher sent multiple BZWR touts: (August 9) “\$bzwr yep!”; and “\$bzw”; and “Team \$bzwr we want you!”; and “Another green day! Winners \$bzwr up 25%”; and “Tuesday list! 1 \$bzwr . . .”; “\$bzwr love”; and (August 10) “\$bzwr team! Long locking this float!”; and “\$bzwr you want this little dip!”; and “If you’re a trader! Look at \$bzwr Level 2! Float locked and no sellers! Why? Because we have strong hands! Join in the fun!” (GIF “COME JOIN US”).

491. On August 10, 2021, from 10:59 a.m. to 3:17 p.m., Gallagher sold, undisclosed, 43,327 shares of BZWR at prices from \$0.1984 to \$0.2181 per share.

492. On August 10, 2021 at 3:56 p.m., Gallagher purchased another 5,000 shares of BZWR for prices from \$0.2170 to \$0.2175 per share.

493. On August 13, 2021, from 9:35 a.m. to 11:01 a.m., Gallagher bought 21,000 shares of BZWR for prices from \$0.2199 to \$0.2232 per share.

494. On August 13, 2021, in the early afternoon, Gallagher tweeted: “. . .bzwr is gonna have a very strong close. You may want a stash. . . . Get a stash” and “\$bzw! Get in hold!” and “Wednesday list! 1\$bzw (cheaper not for long)”.

495. On August 13, 2021, subsequent to these tweets, from 3:17 p.m. to 3:54 p.m., Gallagher sold, undisclosed, 30,000 shares of BZWR, at prices from \$0.252 to \$0.278 per share.

496. On August 14, 2021, Gallagher tweeted: “\$bzw is the one. Little pump needed just awareness they do the work we make the money”; and “DM me if you like \$bzw DD I’m

here to make you rich!”

497. On August 16, 2021, from 9:37 a.m. to 10:00 a.m., Gallagher sold, undisclosed, 30,100 shares of BZWR, at prices from \$0.315 to \$0.359 per share.

498. As of September 13, 2021, Gallagher owned 2,681,500 shares of BZWR.

499. On September 13, 2021, Gallagher tweeted, “\$bzwr! Get it.” And “Team \$bzwr know what you own! Get it! Hold it!”

500. On September 14, 2021, Gallagher sold, undisclosed, 970,704 shares of BZWR, approximately 36% of his holdings of BZWR, at \$0.2261 per share.

501. On September 15, 2021, Gallagher tweeted, “\$bzwr buy it! It’s good IMO!”; “\$bzwr strong buy before earnings! . . . Buy now!”

502. On September 16, 2021, Gallagher sold, undisclosed, 479,885 shares of BZWR, approximately 28% of his holdings of BZWR, at prices from \$0.221 to \$0.224 per share.

503. On September 19, 2021, Gallagher tweeted a reply to another twitter user with a buy tout list that included “\$bzwr”.

504. On September 20, 2021, from about 12:19 p.m. to 12:31 p.m., Gallagher sold, undisclosed, his remaining 1,230,911 shares of BZWR at prices from \$0.183 to \$0.1874 per share.

505. Throughout September 20, 2021, when he was selling shares, Gallagher tweeted multiple touts promoting BZWR, including: “...\$bzwr my buys today!”; and “\$bzwr . . . Get this dip! . . . Who’s with me on this?”; and “Love \$bzwr gift prices today!”; and “\$bzwr more good stuff!”

SCALPING OF CBBT

506. Gallagher made approximately \$84,600 in net profits by engaging in a scheme to

scalp shares of Cerebain Biotech Corp., (“CBBT”), which he traded from August 26, 2020 through February 26, 2021.

507. Gallagher’s purchased 1,000,000 shares of CBBT on August 26, 2020, for \$0.0069 per share.

508. On Tuesday, October 13, 2020, Gallagher tweeted a buy tout list: “Wednesday list!! . . . above must owns!!! . . . \$cbbt”. On Wednesday, October 14, 2020, Gallagher tweeted another tout list with CBBT as a buy recommendation.

509. On October 15, 2020, Gallagher sold, undisclosed, 200,000 shares of CBBT at a price per share of \$0.009. On the same day, prior to his sale, Gallagher tweeted: “\$cbbt is one of my must owns”.

510. On Thursday, October 15, 2020, in the evening, Gallagher tweeted a tout list, “Friday list!!”, that included \$cbbt as his #4 recommendation.

511. On October 16, 2020, Gallagher sold, undisclosed, 100,000 shares of CBBT at \$0.0125 per share.

512. On October 18, 2020, Gallagher received a DM from Associate L asking which stock he should invest his last savings in: “OK ALL 3 or 4 GRAND ON CBBT? OR IS THERE ANOTHER I SHOULD ALSO PUT ON? SORRY, IS MY LAST MONEY PUT ON STOCKS UNLESS I CHANGE AROUND, SELL OTHERS AND USE ON ANOTHER STOCK . . .”. Gallagher sent a reply DM telling Associate L to buy CBBT: “cbbt is my one as of now”.

Associate L sent a DM to Gallagher the following day confirming he bought CBBT.

513. Earlier on October 18, 2020, Gallagher tweeted, “\$cbbt hope your loaded,” and tweeted a buy recommendation tout list, “Back to stocks must owns Monday!!” that had \$cbbt as his #1 recommendation.

514. On October 19, 2020, Gallagher sold, undisclosed, 100,000 shares of CBBT at \$0.0128 per share.

515. On October 19, 2020, at 11:06 p.m., Gallagher tweeted a red alert “Tuesday Alert buys AM alert!! 1 \$cbbt . . .” (with a red GIF of a flashing siren that said ALERT).

516. On October 20, 2020, Gallagher sold, undisclosed, 300,000 shares of CBBT, selling into his touts, at prices from \$0.0164 to \$0.0192 per share.

517. On October 20, 2020, Gallagher tweeted at least twenty touts for CBBT, including: “\$cbbt my #1 for days!!!”; “End of day buys!! . . . \$cbbt massive”; and “\$cbbt is freaking gold merging with major big board!! confirmed. you cant play games with that!! \$cbbt is only starting!! Its my #1 load!”

518. The next day, on October 21, 2020, Gallagher sold, undisclosed, 100,000 shares of CBBT at \$0.0183 per share.

519. On October 22, 2020, Gallagher tweeted multiple CBBT touts, including: “End of day buys my Friday list early! Buy these . . . \$cbbt” and “You wanna own these before tomorrow . . . \$cbbt. . .”.

520. On October 23, 2020, Gallagher sold, undisclosed, 100,000 shares of CBBT at \$0.0172 per share.

521. On November 12, 2020, Gallagher bought 200,000 shares of CBBT for prices from \$0.01345 to \$0.014 per share.

522. On December 17, 2020, Gallagher bought another 300,000 shares of CBBT at prices from \$0.0218 to \$0.0225 per share.

523. On December 17, 2020, Gallagher tweeted: “Twitter? Is it front-loading when I say I’m front-loading? \$cbbt I’m front loading and gonna pump the shit out of this documented

merger”.

524. On December 18, 2020, Gallagher tweeted: “Oh and another thing Alex is front loading \$cbbt for the future run!! You may wanna do the same! When’s the last big board merger you’ve seen \$pkg this is real. . . . load cheap now!”; and “If you don’t own \$cbbt! And you invest in OTC your missing the biggest merger ever documented with \$pkg big board merger!”

525. On December 18, 2020 ,at 12:08 p.m., Gallagher sold, undisclosed, 100,000 shares of CBBT at \$0.0271 per share.

526. On December 18, 2020, Gallagher tweeted: “...I hope you’re loaded in \$cbbt Tip of a lifetime, like \$spom in may, load quietly!! Ha”.

527. During the morning of December 19, 2020, Associate CC sent a DM to Gallagher: “should I get in to cbbt”. Gallagher responded, “cbbt is documenting merger with a 70 pps big board this is real”.

528. On December 21, 2020, between 9:35 a.m. to 9:39 a.m., Gallagher bought 500,000 shares of CBBT for prices from \$0.0345 to \$0.035 per share.

529. On December 22, 2020, Gallagher tweeted at least seven touts for CBBT, including: “Smart trader are buying this \$cbbt red! nothing has changed but the price!! I’m adding \$cbbt”.

530. On December 23, 2020, Gallagher sold, undisclosed, 50,000 shares of CBBT at \$0.0434 per share.

531. On December 24, 2020, after tweeting a tout list of “must owns” which included CBBT, Gallagher sold, undisclosed 60,000 more shares of CBTT at \$0.0476 per share.

532. On January 2, 2021, Gallagher tweeted public touts to three twitter users

recommending that they invest in CBBT: “If you follow me and have \$1k I will make you a million buy the end of 2021!! ...\$cbbt is your starter...”.

533. However, on January 4, 2021, Gallagher sold, undisclosed 190,000 shares of CBBT at prices from \$0.0703 to \$0.088 per share.

534. On January 4, 2021, Gallagher tweeted two tout buy lists: “Tuesday list!!! These are longs people . . . \$cbbt . . .” and “Tuesday news! Must owns in order! . . . \$cbbt merger . . .”.

535. On January 6, 2021, Gallagher sold, undisclosed, 200,000 shares of CBBT at prices from \$0.0743 to \$0.0744 per share.

536. On January 10, 2021, Gallagher again tweeted that a merger of CBBT was imminent: “My focus Monday!! . . . \$cbbt merger coming . . .”. News of a merger is understood to attract investors.

537. On January 11, 2021, Gallagher sold, undisclosed 100,000 shares of CBBT at \$0.0805 per share.

538. On January 12, 2021, Gallagher tweeted a buy tout list: “Wednesday list!” that referenced “\$cbbt merger”.

539. On January 14, 2021, Gallagher sold, undisclosed, 100,000 shares of CBBT at \$0.1211 per share.

540. On January 19, 2021, Gallagher tweeted: “Please sell me your shares!! \$cbbt might be the best OTC investment ever!” Later that day, he tweeted that CBBT was “NASDAQ BOUND” and that “You gotta pay for the good stuff.”

541. On January 21, 2021, Gallagher sold, undisclosed, another 50,000 shares of CBBT at \$0.117 per share.

542. On January 21, 2021, Gallagher tweeted a tout list: “Friday list! . . . HOLDS . . .

\$cbbt . . . ”.

543. Contrary to his advice to investors, and undisclosed, on January 22, 2021, Gallagher sold, undisclosed, another 50,000 shares of CBBT at \$0.1217 per share.

544. On January 23, 2021, Gallagher tweeted, “Stocks I hold huge portions I add red days and sell small chunks on rip days! These are my favorite runners . . . 4 \$cbbt . . . This is how to make money in the OTC I never say the sell word! But we are here to make money Sell smart! Sell the ask!”

545. On January 25, 2021, Gallagher tweeted, “Long hold list best overall OTC . . . \$cbbt”.

546. On January 25, 2021, Gallagher sold, undisclosed, 20,000 shares of CBBT at \$0.149 per share and, on January 26, 2021, he sold, undisclosed, 20,000 shares of CBBT at \$0.1805 per share.

547. On January 26, 2021, Gallagher tweeted a tout list with \$cbbt adding: “These I think run the highest % tomorrow”.

548. On January 29, 2021, Gallagher sold, undisclosed, 20,000 shares of CBBT at \$0.1434 per share.

549. On February 1, 2021, Gallagher tweeted: “Great red dip buys . . . \$cbbt . . . All on sale green tomorrow”.

550. On February 2, 2021, Gallagher sold, undisclosed 20,000 shares of CBBT at \$0.131 per share and, on February 4, 2021, he sold, undisclosed, 20,000 shares of CBBT at \$0.174 per share.

551. On February 7, 2021, Gallagher tweeted, “Monday . . . \$cbbt . . . Make money!” and, on February 8, 2021, he tweeted a tout list that included “\$cbbt”.

552. The next day, February 9, 2021, he sold, undisclosed, 20,000 shares of CBBT at prices from \$0.39 to \$0.463 per share.

553. On February 11, 2021, Gallagher tweeted, “Get rich quick list! . . . \$cbbt . . .”.

554. The next day, he sold, undisclosed, 20,000 shares of CBBT at prices from \$0.318 to \$0.31819 per share.

555. On February 21, 2021, Gallagher tweeted: “See my long list!! I increased positions in . . . \$cbbt . . . and took out some funds for bitcoin and savings!” Gallagher’s representation that he “increased” his position in \$cbbt was not truthful given that, as described above, Gallagher had sold, undisclosed, about 86% of his CBBT holdings by February 12, 2021.

556. On February 26, 2021, Gallagher sold, undisclosed, 160,000 shares of CBBT at prices from \$0.1101 to \$0.1198 per share and bought 100,000 shares of CBBT for \$0.1275 per share.

SCALPING OF CBDD

557. Gallagher made approximately \$36,800 in net profits by engaging in a scheme to scalp shares of CBD of Denver Inc. (“CBDD”), which he traded from August 26, 2020 to February 18, 2021.

558. On August 26, 2020, Gallagher bought 2,000,000 shares of CBDD for \$0.0013 per share. From August 26, 2020, through November 16, 2020, Gallagher tweeted approximately 10 touts for CBDD.

559. On November 16, 2020, at the market open, Gallagher bought 2,000,000 more shares of CBDD for \$0.0016 per share.

560. On November 16, 2020, after his purchase of CBDD shares, Gallagher tweeted 18 buy touts for CBDD, including 3 tout lists with CBDD on them and: “\$CBDD ANYONE

REMEMBER THIS ALERT!!”; and “\$CBDD ALERT!!! LONG HOLD!!!! BUY”; and “\$CBDD ITS HAPPENING!!!”

561. On November 17, 2020, after Gallagher tweeted a morning tout list that included CBDD, Gallagher sold, undisclosed, 642,000 shares of CBDD, approximately 16% of his holdings of CBDD, at \$0.0016 per share.

562. On November 19, 2020, CBDD released a press statement about their third quarter results and corporate updates. In the days that followed that release, CBDD’s volume and price stayed at the same relative level they were at heading into that press release.

563. From November 25, 2020 through November 30, 2020, Gallagher tweeted four buy touts for CBDD, including two tout lists with CBDD on it and: “\$cbdd past alert! hope you loaded” and “Anyone buy \$cbdd on my last alert? In trips? Jist curiois”.

564. By November 30, 2020, CBDD’s trading volume had risen by approximately 10 times the volume CBDD had been at in the week after the press release.

565. On December 1, 2020, Gallagher, undisclosed, sold 1,171,676 shares of CBDD, approximately 35% of his holdings of CBDD, at \$0.0035 per share.

566. From December 1, 2020 through December 4, 2020, Gallagher tweeted approximately 38 buy recommendations for CBDD, including six tout lists with CBDD on them and: “\$cbdd green for days anyone jumping on this?”; and, on December 3, 2020, “\$cbdd alerted this a couple months ago. My normal OTC gamble is 3k per investment! 3k is now 34k 900% gains haven't sold a share! Also none as a 9 bagger! I Love this stock!”

567. Gallagher’s representation that he had not sold a share of CBDD was false because he sold shares of CBDD on November 17, 2020 and December 1, 2020.

568. On December 4, 2020, at 7:59 a.m. Gallagher tweeted: “Big runners today! . . .

\$cbdd . . . You want this 4 in your account long”.

569. On December 4, 2020, from about 11:25 a.m. to 11:33 a.m., Gallagher sold, undisclosed, 216,324 shares of CBDD, approximately 10% of his holdings of CBDD, at prices from \$0.0267 to \$0.0268 per share.

570. On Sunday, December 6, 2020, Gallagher tweeted a buy tout list: “You must own these before buying alerts! Monday list . . . \$\$cbdd”, with \$cbdd listed as his #3 buy recommendation.

571. On December 7, 2020, Gallagher sold, undisclosed, 100,000 shares of CBDD, approximately 5% of his holdings of CBDD, at \$0.0191 per share.

572. On December 7, 2020, at 6:05 p.m., Gallagher tweeted another buy tout list: “Tuesday list!! All long holds!” with \$cbdd as his #3 buy recommendation. The tweet had 192 “likes”, 22 retweets and multiple comments.

573. On the morning of December 8, 2020, Gallagher tweeted another two tout lists that included CBDD.

574. Later in the morning of December 8, 2020, Gallagher sold, undisclosed, 1,170,000 shares of CBDD, approximately 66% of his holdings of CBDD, at prices from \$0.0108 to \$0.0110 per share.

575. From December 9, 2020 to January 4, 2021, Gallagher tweeted approximately 30 buy touts for CBDD, including buy tout lists that included CBDD, such as: “OTCs I see big things in the future are...\$cbdd...”; and, “\$cbdd high on my list”; and, “\$cbdd I like this alot!”; and, on January 4, 2020 at 9:11 a.m., “\$cbdd here we go!!” attaching a link to a yahoo finance article on CBDD. That tweet got 39 likes and 7 retweets.

576. On January 4, 2021, at about 9:56 a.m., Gallagher, sold, undisclosed, 200,000

shares of CBDD, approximately 29% of his holdings of CBDD, at \$0.0156 per share.

577. On January 5, 2021, Gallagher tweeted three tout lists with CBDD on them.

578. From January 15, 2021 to January 26, 2021, Gallagher tweeted 17 touts for CBDD, including 8 buy lists with CBDD and the tweets: “good choice \$cbdd is great”; and “\$cbdd has found a good base next massive earning like last will send to next level...”; and “\$cbdd another trips alert!! givin to me from the great @[Twitter user]”.

579. On the afternoon of January 25, 2021, Gallagher tweeted a buy tout list: “Long hold list best overall OTC . . .” that included CBDD.

580. On January 26, 2021, at about 11:46 a.m., Gallagher sold, undisclosed, 100,000 shares of CBDD, 20% of his holdings of CBDD, at prices from \$0.0319 to \$0.032 per share.

581. From January 27, 2021 through February 15, 2021, Gallagher tweeted 17 buy touts for CBDD, including 13 buy tout lists with CBDD on them, and tweets: “\$cbdd alerted at .0005! Been holding 6 months or so! Patience pays! people actually complain when a alert goes down a day later! SMH! Anyone remember this great alert? \$600 investment now worth 10k”; and “Today's big green!...\$cbdd”.

582. On Saturday February 6, 2021, Gallagher tweeted: “Long holds! Buy these get rich simple! 1 Alerting Monday! Massive alert coming! . . . 15 \$CBDD”.

583. On Monday February 15, 2021 Gallagher tweeted a tout list: “Have you observed 200000% runners like...\$cbdd ...”.

584. On February 18, 2021, Gallagher sold, undisclosed, his remaining 400,000 shares of CBDD at \$0.027 per share.

SCALPING OF CGAC

585. Gallagher made approximately \$600 in net profits by engaging in a scheme to scalp shares of Code Green Apparel Corp., (“CGAC”), which he traded between October 8, 2021 and October 13, 2021.

586. On October 8, 2021, Gallagher bought 5 million shares of CGAC for \$0.0020 per share. Immediately after his purchase, and throughout the remainder of the day, Gallagher tweeted fourteen CGAC touts, including: “Stock tip I added here \$cgac only up from here”.

587. From October 9, 2021 through October 12, 2021, Gallagher tweeted another 14 touts, including: “Stocks you must own. Before they take off. 1\$cgac bottom retrace”; and, “\$cgac . . . 100% runners next week! I Hope you dove in”; and, “Tuesday list! 1 \$cgac”; and, “Wednesday list . . . \$cgac”.

588. On October 13, 2021, Gallagher tweeted: “\$cgac I’m just loading cheap. We know what we have here.”

589. Minutes before the market closed, Gallagher sold, undisclosed, 858,133 shares of CGAC, approximately 17% of his holdings of CGAC, at \$0.0027 per share.

SCALPING OF CGLD

590. Gallagher made approximately \$13,300 in net profits by engaging in a scheme to scalp shares of Buscar Company, (“CGLD”), which he traded between June 26, 2020, and July 24, 2020.

591. On June 26, 2020, Gallagher received a DM from Associate D: “\$CGLD . . . 3 million float with billions in gold reserves. Heard it here first”. Minutes later, Gallagher bought 78,521 shares of CGLD for prices from \$0.195 to \$0.22 per share.

592. On June 27, 2020, Gallagher tweeted 17 touts, including listing it as his #1 buy

recommendation on his tout list. Gallagher also tweeted: “\$cgld this gold merger is gold”. This tweet was misleading since CGLD had not announced a merger.

593. On June 28, 2020, Gallagher tweeted five touts for CGLD, including CGLD on his buy tout list.

594. On June 29, 2020, before the market opened, Gallagher tweeted: “\$cgld gold is really gold people!” That same day Gallagher sold, undisclosed, 10,000 shares of CGLD, approximately 13% of his holdings of CGLD, at \$0.49 per share. Gallagher then tweeted another 14 touts for CGLD, including CGLD as a buy recommendation on two tout lists. Gallagher also sent a DM to a twitter user to “. . . buy some gold cgld”.

595. On Tuesday, June 30, 2020, Gallagher tweeted a list of “My current biggest money makers after taking profits” that included \$cgld. However, Gallagher did not disclose that he had taken profits in CGLD by selling into his buy recommendations for that stock. For example, on the same day, Gallagher tweeted two tout lists: “Tuesday 10 for 10 green . . . \$cgld gold” and “Wednesday list . . . \$cgld day after profits”.

596. On July 1, 2020, Gallagher sold, undisclosed, 18,521 shares of CGLD, approximately 27% of his holdings of CGLD, at \$0.40 per share. After the market closed that day, Gallagher tweeted yet another tout list with a recommendation to buy “\$cgld still gold”.

597. On July 2, 2020, before the market opened, Gallagher tweeted a buy tout list with “\$cgld” and the same day he sold, undisclosed, 9,550 shares of CGLD, approximately 19% of his holdings of CGLD, at prices from \$0.34 to \$0.385 per share.

598. From July 2, 2020 through July 6, 2020, Gallagher tweeted another 14 CGLD touts, including \$CGLD on buy tout lists, and tweeting: “Great dip buys right now! \$cgld . . .”.

599. On July 7, 2020, Gallagher sold, undisclosed, 4,920 shares of CGLD,

approximately 12% of his holdings of CGLD, at \$0.40 per share. Later the same day, Gallagher then tweeted a buy recommendation tout list that included \$cgld.

600. On July 9, 2020, Gallagher sold, undisclosed, 24,700 shares of CGLD, approximately 70% of his holdings of CGLD, at \$0.34 per share.

601. On July 10, 12, 13, 16, 17, and 18, 2020, Gallagher tweeted additional tout lists with \$cgld as a buy recommendation. On July 23, 2020, Gallagher sent a DM to a twitter user that he “love cgld”. On July 24, 2020, Gallagher sold, undisclosed, his remaining 10,830 shares of CGLD at \$0.29 per share.

SCALPING OF CHNC

602. Gallagher made approximately \$46,900 in net profits by engaging in a scheme to scalp shares of China Infrastructure Construction Corp., (“CHNC”), which he traded from January 11, 2021 to February 19, 2021.

603. On Monday, January 11, 2021, Gallagher received two consecutive DMs from an Associate: “...our next move might be CHNC grab yours then tell the world” and “CHNC will Wednesday alert by others. . .”.

604. On January 11, 2021, Gallagher bought 8,961,898 shares of CHNC for \$0.0008 per share.

605. On January 12, 2021, Gallagher tweeted “\$chnc bought this today!!” (he had actually bought the day prior). Gallagher attached a tweet from another user that claimed CHNC had multi-million dollar contracts with pharma companies.

606. In the evening of Tuesday, January 12, 2021, Gallagher tweeted two buy tout lists “Wednesday list!” which included “Bonus . . . \$chnc”.

607. On January 14, 2021, at about 8:08 a.m., Gallagher tweeted CHNC: “\$chnc big

fan”.

608. On January 14, 2021, from 9:50 a.m. to 3:50 p.m., Gallagher sold, undisclosed, 3,961,898 shares of CHNC, approximately 44% of his holdings of CHNC, at prices ranging from \$0.0019 to \$0.0082 per share.

609. While Gallagher was selling, at about 10:24 a.m., Gallagher tweeted: “\$chnc wow I own a lot of this!!! Thanks, pumper not sure who or what it is”. At about 2:30 p.m. Gallagher tweeted: “\$chnc wow”.

610. On Thursday, January 14, 2021, after the market closed, Gallagher tweeted a tout buy list “Friday list!” where he ranked \$chnc as his #2 recommendation. Gallagher encouraged retweets of his tout list with “RETWEET GETS A FOLLOW”.

611. On January 15, 2021, Gallagher sold, undisclosed, 1,000,000 shares of CHNC, 20% of his holdings of CHNC, at prices from \$0.0065 to \$0.0066 per share. This was an approximately 725% increase above his purchase price just four days earlier.

612. This price increase occurred over the same period of time that Gallagher touted CHNC through his tweets, as described above, and the most recent corporate press release was dated November 14, 2018. CHNC’s quarterly report published on January 15 could not account for the increase in share price over the prior four days.

613. On January 19, 2021, Gallagher tweeted a misleading tweet: “\$chnc!! Who panic sold? Not me!!!” In reality, over the prior five days, Gallagher had sold over 55% of his holdings, undisclosed, while touting CHNC to his readers and followers.

614. On Tuesday, January 19, 2021, Gallagher tweeted a buy tout list “Wednesday list!” which included \$chnc as a recommendation.

615. During the evening of January 19, 2021 and the morning of January 20, 2021,

Gallagher tweeted two more buy tout lists with \$CHNC as his #5 buy recommendation and retweeted: “Wednesday big green focus list!!...\$CHNC”. On the morning of January 20, 2021, Gallagher tweeted, “...\$chnc both close strong and much higher down the road!! I love these two! And there are cheap! And on sale!!”

616. Gallagher did not disclose to his readers and followers that he was actually planning to sell CHNC.

617. In the early afternoon of January 20, 2021, Gallagher sold, undisclosed, 1,000,000 shares of CHNC, 25% of his holdings of CHNC, at \$0.0072 per share.

618. On January 20, 2021, Gallagher DM’d an Associate the “assignment” to promote “chnc”. Approximately two hours later, Gallagher sent a DM to another Associate “chnc news do a video”. This is understood to mean an associate would post a video to social media touting CHNC.

619. On the evening of January 20, 2021, Gallagher tweeted two tout lists with buy recommendations. Both lists ended, “\$chnc must own”. Moments later, he tweeted, “Welp! Don’t shorts feel dumb!! \$chnc has been running for a reason!!” Later that evening, Gallagher tweeted two more tout lists that included \$CHNC as buy recommendations.

620. On January 21, 2021, Gallagher again tweeted two tout lists with \$CHNC ranked as his #3 pick in one tweet and his #7 pick in the other.

621. On Friday, January 22, 2021, Gallagher retweeted his buy tout list at about 9:10 a.m.: “Friday big green!...\$CHNC”.

622. On Friday January 22, 2021, from about 1:58 p.m. to 3:16 p.m., Gallagher sold, undisclosed, another 2,000,000 shares of CHNC, 66% of his holdings of CHNC, at \$0.0066 per share.

623. On the evening of January 29 and afternoon of January 30, 2021, Gallagher tweeted two buy touts lists that included CHNC (“The cheap best!!”).

624. Gallagher tweeted additional tout lists to buy CHNC; on February 4, 2021 (“Today’s big green”)(“Sub penny best of the best”); February 12, 2021 (“Tuesday long holds”).

625. On February 13, 2021, Gallagher also tweeted a tout list that included \$chnc with the first words at the top of the list: “Some cheap otc’s I own. . .”. Gallagher did not disclose that, in fact, he had sold most of his CHNC holdings and planned to imminently sell his remaining shares.

626. On February 15, 2021, Gallagher touted CHNC in a tweet: “\$CHNC is really pure gold one in #OTC”. On February 16, 2021, Gallagher sent a DM to a Twitter user that he then re-tweeted: “Wow \$CHNC I don’t understand why people chase stocks that don’t have potential. Look products of chnc”.

627. On February 19, 2021, Gallagher sold, undisclosed, his remaining 1,000,000 shares of CHNC at \$0.0044 per share.

SCALPING OF CMGO

628. Gallagher made approximately \$6,000 in net profits by engaging in a scheme to scalp shares of CMG Holdings Group, Inc. (“CMGO”), which he traded from August 25, 2020 through December 8, 2020.

629. On August 24, 2020, at about 11:43 p.m., Gallagher sent a DM to Associate E: “cmgo”.

630. On August 25, 2020, before the market opened, Gallagher placed an order to buy 1,000,000 shares of CMGO. Gallagher’s order executed for prices from \$0.0105 to \$0.0119 per share. After his purchase, Gallagher tweeted, “\$cmgo looks good!”

631. On August 26, 2020, Gallagher bought another 200,000 shares of CMGO for prices from \$0.010354 to \$0.0105 per share.

632. On August 26, 2020, after his purchase of CMGO shares, Gallagher tweeted three CMGO touts, including buy recommendations on two tout lists, such as: “Thursday list updated! Must owns\$\$\$\$\$. . . Bonus \$cmgo”.

633. On August 27, 2020, Gallagher tweeted: “\$CMGO ALERT BUY” and 11 other CMGO touts.

634. On August 28, 2020, from about 12:04 a.m. to 11:03 a.m., Gallagher tweeted 8 CMGO touts, including: “\$CMGO BUY!!!” and “On fire sense alert \$cmgo”.

635. On August 28, 2020, starting at about 11:03 a.m., Gallagher sold, undisclosed, 400,000 shares of CMGO, approximately 33% of his holdings of CMGO, at prices from \$0.0195 to \$0.0202 per share.

636. On August 28, 2020¹, after his sale, Gallagher tweeted 10 more CMGO touts, including: “Must owns for Monday are 1 \$cmgo . . .”.

637. From Saturday, August 29 to the morning of August 31, 2020, Gallagher tweeted 28 more CMGO touts, including: “Must own Monday!! . . . 1 \$cmgo” and “Ok what’s everyone buying tomorrow? Be honest no pumping lol! I’m adding \$cmgo . . .”. Gallagher also sent a DM to a twitter user: “I love what cmgo has going on I’ll add dips if needed”.

638. On August 31, 2020, contrary to his tweet that he would be “adding \$cmgo”, Gallagher sold, undisclosed, 300,000 shares of CMGO, 37% his holdings of CMGO, at prices from \$0.0191 to \$0.0216 per share.

639. On September 1, 2020, from about 4:54 a.m. to 12:28 p.m., Gallagher tweeted 5 touts recommending CMGO, including: “Tuesday list!!! 1 \$cmgo . . . “; and “\$CMGO

AAAAND ANOTHER 52 WEEK HIGH HIT. WHAT THE HELL ARE YOU WAITING FOR? GET IN HERE !”.

640. On September 1, 2020, after these CMGO touts, Gallagher sold, undisclosed, 200,000 shares of CMGO, 40% of his holdings of CMGO, at prices from \$0.017 to \$0.020 per share. After the market closed, Gallagher tweeted a buy tout list with \$cmgo.

641. On September 2, 2020, before the market opened, Gallagher tweeted a buy tout list with \$cmgo. After the market opened, Gallagher sold, undisclosed, 150,000 shares of CMGO, approximately 50% of his holdings of CMGO, at prices from \$0.0140 to \$0.0160 per share.

642. After the market closed on Wednesday, September 2, 2020, Gallagher tweeted two CMGO touts, including “Thursday list!!! Good stuff . . . \$cmgo . . . Excited for tomorrow some great new runners!!”

643. On September 3, 2020, Gallagher sold, undisclosed, his remaining 150,000 shares of CMGO at \$0.0159 per share.

644. On September 9, 2020, Gallagher bought 200,000 shares of CMGO for \$0.0217 per share. Immediately after his purchase, Gallagher sent a DM to Associate E (the same Associate who Gallagher had initially alerted to buy CMGO on August 24): “im back in cmgo”. “lets get cmgo moving”.

645. On September 9, 2020, after the market closed, Gallagher tweeted a buy tout list with CMGO and tweeted: “\$cmgo gonna explode!!”

646. From September 10, 2020 through October 23, 2020, Gallagher tweeted eight CMGO touts, including: “Friday list!! Big day coming!! . . . \$cmgo . . .”

647. On December 8, 2020, Gallagher sold, undisclosed, all 200,000 of his CMGO

shares at \$0.0058 per share.

SCALPING OF COUV

648. Gallagher made approximately \$41,500 in net profits by engaging in a scheme to scalp shares of Corporate Universe, Inc. (“COUV”), which he traded between October 9, 2020 and February 25, 2021.

649. On Friday, October 9, 2020, Gallagher bought 516,973 shares of COUV for prices from \$0.0069 to \$0.0075 per share. About halfway into his buying COUV, Gallagher tweeted “\$couv future alert!!!” After completing his purchase of COUV, Gallagher tweeted, “\$couv . . . buy alert!!!”. Later that day Gallagher tweeted three buy tout lists with \$couv, including “Monday list!! . . . \$couv . . . all must owns Mondays . . .”; and, “Biggest must own ever!! . . . \$couv . . .”.

650. From October 10, 2020 through October 13, 2020, Gallagher tweeted buy tout lists that included \$couv with his “must owns”.

651. On October 14, 2020, Gallagher sold, undisclosed, 316,973 shares of COUV, approximately 61% of his holdings of COUV, at prices from \$0.0109 to \$0.0146 per share. While selling, Gallagher tweeted: “\$couv great buy alert!!! Hasn’t started moving yet!!!” and tweeted “couv” to a follower. The follower sent a DM to Gallagher saying that he had borrowed money from his grandmother to invest in Gallagher’s recommendations.

652. From October 14 through 18, 2020, Gallagher tweeted approximately 30 COUV touts, repeatedly characterizing it as a “must own”.

653. On October 19, 2020, Gallagher, undisclosed, sold 100,000 shares of COUV, 50% of his holdings of COUV, at \$0.0230 per share.

654. From October 19 through October 22, 2020, Gallagher tweeted 16 COUV touts,

including “Big green coming to all!!” and “Buy these!”

655. On October 23, 2020, Gallagher sold, undisclosed, 50,000 shares of COUV, 50% of his holdings of COUV, at \$0.0209 per share.

656. On November 18, 2020, at about 11:28 a.m., Gallagher bought another 100,000 shares of COUV for \$0.12 per share. After his purchase, Gallagher tweeted: “\$couv!! Strong alert!!” and, “Never buy in the AM you need these before tomorrow!! BUY TODAY AND HOLD!! . . . \$couv . . .”.

657. From November 18 through November 28, 2020, Gallagher tweeted twelve more COUV buy touts, including: “Absoulte must own OTC stocks !! I will make multi millions on these longs! . . . \$couv . . . MILLIONS”.

658. On November 30, 2020, Gallagher sold, undisclosed, his remaining 150,000 shares of COUV at prices from \$0.0160 to \$0.0178 per share.

659. On December 16, 2020, Gallagher bought 200,000 shares of COUV for \$0.0330. After buying the COUV shares, Gallagher tweeted “i loaded \$couv again on this merger news!! possible future alert!”. Gallagher’s tweet was misleading since COUV had not issued any corporate news regarding a merger. Rather, COUV announced, on December 16, 2020, that it had entered into a Letter of Intent to acquire a private company.

660. From December 16, 2020 to pre-market open on December 22, 2020, Gallagher tweeted 6 COUV buy touts, including: “Hot stocks today! . . . \$couv merger ; ; ; ALL RETWEETS get a FOLLOW Everyone green today!!”.

661. On December 22, 2020, Gallagher sold, undisclosed, 100,000 shares of COUV, 50% of his holdings of COUV, at prices from \$0.0580 to \$0.066 per share. While Gallagher was selling these COUV shares, he tweeted: “Team twitter! Are we green? Scream some positive!! .

.. I LOVE POSITIVE \$couv . . .”

662. From December 22, 2020 to pre-market opening on January 4, 2021, Gallagher tweeted approximately 55 COUV touts, including: “must own Monday . . . \$couv best . . .”; and, at 7:40 AM on January 4, 2021, a buy tout list: “2021 OTC stocks that hit a Dollar 1 \$couv” (with \$couv as his #1 buy recommendation).

663. On January 4, 2021, Gallagher sold, undisclosed, 60,000 shares of COUV, 60% of his holdings of COUV, at prices from \$0.37 to \$0.439 per share. After the market closed, Gallagher tweeted a buy tout list with \$couv.

664. On January 5, 2021, Gallagher sold, undisclosed, 10,000 shares of COUV, 25% of his holdings of COUV, at \$0.434 per share. After the market closed, Gallagher tweeted a buy tout list with \$couv.

665. On January 6, 2021, Gallagher sold, undisclosed, 10,000 shares of COUV, 33% of his holdings of COUV, at \$0.412 per share.

666. From January 14, 2021 through February 8, 2021, Gallagher tweeted multiple COUV touts.

667. On February 9, 2021 the Commission issued an Order temporarily suspending trading in COUV “due to questions regarding the accuracy and adequacy of information in the marketplace since at least December 1, 2020.”

668. On February 25, 2021, when COUV was quoted on the OTC’s Expert Market, after the trading suspension was lifted, Gallagher sold, undisclosed, his remaining 20,000 shares of COUV at \$0.2 per share.

SCALPING OF CSLI

669. Gallagher made approximately \$11,800 in net profits by engaging in a scheme to

scalp shares of Critical Solutions, Inc. (“CSLI”), which he traded between December 14, 2020 and February 19, 2021.

670. On December 7, 2020, Gallagher received a DM from Associate F: “CSLI #1 you should own asap”. On December 14, 2020, at about 10:32 a.m., Gallagher received a DM from the same Associate: “CSLI transfer the wealth”.

671. On December 14, 2020, after receiving the DM from his Associate, Gallagher bought 900,000 shares of CSLI for prices from \$0.00687 to \$0.0088 per share. About halfway through his purchase of these CSLI shares, Gallagher sent a DM to Associate F: “any good news of D ILL ALERT CSLI?” Associate F responded: “CSLI Major Move coming”. Gallagher then tweeted: “\$CSLI!! HINT WINK!!”

672. On Monday, December 14, 2020, at about 1:59 p.m., after buying the CSLI shares, Gallagher tweeted: “\$csli challenge alert!! i’m loading \$csli!! anybody with me?” At about 2:19 p.m., Gallagher then sold, undisclosed, 100,000 shares of CSLI, approximately 11% of his holdings of CSLI, at \$0.0103 per share. At about 3:01 p.m. that day, Gallagher tweeted “Stock that gap Tuesday AM . . . \$csli gems!! Load hold”. Between about 3:22 p.m. and 3:41 p.m., Gallagher sold, undisclosed, 400,000 shares of CSLI, 50% of his holdings of CSLI, at prices from \$0.0095 to \$0.0115 per share.

673. On December 14, 2020, after the market closed, Gallagher tweeted: “\$CSLI WAS MY AFTERNOON ALERT” and “Big three green tomorrow! \$csli . . .”.

674. Throughout December 14, 2020, Gallagher sent DMs to 19 Associates (Associates A, C and F – W): “Great news!! . . . CSLI LOAD BIG! 2 huge teams coming”; and, “csli . . . gift for you”; and, “big boys in csli . . . tomorrow kickass gains for sure”; and, “So [Associate X] and [Associate B] and a another while with massive teams come to me amd say

CSLI which we have loaded and BLDV I think we go heavy and make a fucking killing”.

675. Gallagher’s reference to “2 huge teams coming” and “big boys in csli” is understood to be a reference to at least two groups of people who will engage in coordinated efforts to pump up the price of CSLI and then sell into the price rise and take their profits.

676. On December 14, 2020, at about 8:51 p.m., Gallagher placed orders to buy 1,000,000 shares of CSLI. These executed at the market open on December 15, 2020 for prices from \$0.0123 to \$0.0125 per share.

677. On December 15, 2020, at 10:30 a.m., Gallagher sent a DM: “BLDV CSLI ALERT LATER BIG TEAMS FYI” (the recipient is unidentified) and a DM to Associate F: “I need your help on csli”. Gallagher also tweeted five CSLI touts including, “\$csli hint!!” and “\$csli good stuff!! great dip buy!”

678. On December 15, 2020 Gallagher tweeted a buy tout list: “Wednesday big green list!! . . . \$csli RETWEET gets a follow!”.

679. On December 15, 2020, at 7:44 p.m., Gallagher sent a DM to Associate C: “Alert went higher. I just want alert to run fpor days. Big alerts cause sell offs like CSLI SS to small to die like that”.

680. On December 16, 2020, Gallagher sent a DM to Associate F (with who he had exchanged DMs related to coordinated manipulations of BBDA and UAPC): “and if you could let me know the plan for the ticker csli f=just flopped as some do”.

681. Associate C DM’d Gallagher on December 18, 2020: “I had the same thing with CSLI. Should have listened.”

682. On December 30, 2020, Gallagher DM’d Associate C: csli was my only fail”. “i was pissed hes pulling a ntrr and csli, saying i ruined something. i was pissed. he said sorry

wanted me to call him.”.

683. On January 7, 2021, Gallagher tweeted two CSLI touts, including: “\$CSLI HINT”. On January 15, 2021, Gallagher tweeted: “\$csli wink”. An hour later, Gallagher sold 600,000 shares of CSLI, approximately 43% of his holdings in CSLI, at prices from \$0.0135 to \$0.0147 per share. On January 16 and January 17, 2021, Gallagher tweeted buy tout lists: “Tuesday list! . . . must owns! . . . Bonus . . . \$CSLI . . . I own all”; and, “Low risk gains OTC stocks the best IMO . . . \$CSLI . . .”.

684. On January 17, 2021, Gallagher also sent a DM to a twitter user: “csli is great go with that”.

685. On January 21, 2021, Gallagher sold, undisclosed, 25,000 shares of CSLI, approximately 3% of his holdings of CSLI, at \$0.0279 per share. After the market closed, Gallagher tweeted a buy tout list with “\$CSLI . . . RETWEET GET A FOLLOW”.

686. On January 22, 2021, Gallagher sold, undisclosed, 375,000 shares of CSLI, approximately 48% of his holdings of CSLI, at prices from \$0.0217 to \$0.025 per share.

687. On January 25, 2021, Gallagher tweeted: “\$csli I like this”.

688. On January 26, 2021, Gallagher sold, undisclosed, 100,000 shares of CSLI, 25% of his holdings of CSLI, at \$0.030 per share.

689. On January 29, 2021, at 7:00 p.m., Gallagher tweeted a buy tout list with \$csli.

690. On February 19, 2021, Gallagher sold, undisclosed, his remaining 300,000 shares of CSLI at prices from \$0.0171 to \$0.0190 per share.

SCALPING OF DCLT

691. Gallagher made approximately \$7,000 in net profits by engaging in a scheme to scalp shares of Data Call Technologies, Inc., (“DCLT”), which he traded between December 9,

2020 and March 5, 2021.

692. On the morning of December 9, 2020, Gallagher purchased 1,254,965 shares of DCLT at prices from \$0.0049 to \$0.0058 per share. These purchases occurred between 9:56 a.m. and 10:03 a.m.

693. The same day, Gallagher sent 28 DM's to Associates to coordinate their acquiring shares of DCLT prior to Gallagher tweeting a public DCLT alert.

694. For example, Gallagher sent 8 DMs in a row to Associates that said "DCLT" and another 8 that read "DCLT LATE ALERT MOVES WITH EASE". Another DM he sent read: "DCLT at 345 don't sell." This is understood to mean that Gallagher was giving advance notice to his Associates to acquire shares of DCLT prior to his publicly tweeting a buy "ALERT" at 3:45 p.m.

695. However, Gallagher sent subsequent DMs to his Associates on December 9, 2020, informing them that he was going to delay the DCLT alert by a day, due to the stock's rapid rise in price over the course of the day: "Not alerting dclt because up 200%" and "ucpa alert dclt up to high that gets alerted tomorrow" and "it changed when it was up 230% if I alert that people think I'm dumping so went with a different runner that ran more, dclt we hope to alert tomorrow".

696. On December 8, 2020, DCLT had an adjusted closing share price of \$0.0049. On December 9, 2020, the day of Gallagher's DMs to Associates telling them to buy DCLT, DCLT had a daily high share price of \$0.018 — or an increase of approximately 291%.

697. Gallagher's subsequent DMs telling his Associates that he would delay "alerting dclt because up 200%" is understood to be Gallagher stating that DCLT's share price increased as a result their coordinated purchases.

698. The coordinated purchases by Gallagher and his Associates also coincide with an increase in DCLT's trading volume. On December 8, 2020, DCLT had a daily trading volume of 2,076,500. On December 9, 2020 (the day of Gallagher's DM's to his Associates) DCLT had a daily trading volume of 65,119,300 — an increase of approximately 3,000 %.

699. At 3:19 p.m. on December 9, 2020, Gallagher tweeted a soft alert: "\$dclt!! hmm". Two minutes later, Gallagher sold, undisclosed, 94,965 shares of DCLT, approximately 7 % of his holdings of DCLT, at \$0.015 per share.

700. After the market closed on December 9, 2020, Gallagher tweeted two DCLT touts: "thanks guys lets make money . . . \$dclt" (responding to another twitter user); and a tout list that said, "\$dclt hint wink".

701. On December 9, 2020, Gallagher received a DM from a twitter user/victim: "Hey bro I got killed on DCLT I bought when you gave the hint at .016".

702. On the morning of December 10, 2020, at 9:10 a.m., Gallagher sent a DM to an Associate: "team requesting me to do dclt morning alert., they concerned of late dip".

703. At 9:32 a.m. on December 10, 2020, Gallagher tweeted the red ALERT he had promised in coordination with his Associates: "Challenge Alert!! BUY \$DCLT \$DCLT (with red ALERT!!!!)".

704. At 10:02 a.m., on December 10, 2020, Gallagher tweeted another tout: "\$\$sucpa dclt combo alert!!"

705. Between approximately 9:43 a.m. and 12:25 p.m. on December 10, 2020, Gallagher sold, undisclosed, 660,000 shares of DCLT, approximately 57% of his holdings of DCLT, at prices from \$0.0115 to \$0.016 per share.

706. Gallagher tweeted a tout list on the evening of Thursday, December 10, 2020:

“Friday list!!” that included \$dclt.

707. On December 11, 2020, Gallagher re-tweeted the tout list with \$dclt.

708. On Monday, December 13, 2020, Gallagher tweeted a tout list: “OTCs I see big things in the future are \$dclt . . . all fighting to break the top 5!!”

709. On January 29, 2021, Gallagher tweeted another tout list “The cheap best!! With \$dclt as a buy recommendation included.

710. On March 5, 2021, Gallagher sold, undisclosed, his remaining 500,000 shares of DCLT at \$0.008 to \$0.0093 per share.

SCALPING OF DKGR

711. Gallagher had a net loss of approximately \$4,500 by engaging in a scheme to scalp shares of Universal Apparel & Textile Company (“DKGR”), which he traded between February 10, 2021 and February 19, 2021.

712. On February 9, 2021, Gallagher received a DM from Associate X: “Try for DKGR Saw tonight [Associate Y] brought to light its Really Cheap here”. Gallagher responded: “ok thoughts BBDA THURSAY DKGR FRIDAY I CAN HAVE MY TEAMS LOAD FOR A DAY THE BIGGER POPS THE NEXT DAY, I THINK WE SLOW ROLL FOR HIGHER GAINS”. Shortly thereafter, Gallagher received a DM from Associate C: “[Associate X] told me just now to look at dkgr. I like the chart so I’m going to slow load tomorrow morning”.

713. On February 10, 2021, Gallagher bought 5,000,000 shares of DKGR for prices from \$0.0025 to \$0.0043 per share.

714. On February 11, 2021, Gallagher sent out DMs to six Associates (Associates B, Z, AA – DD): “DKGR”; and “STEV LATE ALERT DKGR TOMORROW”; and, “DKGR LOAD FOR TOMORROW”; and, “dkgr you in?” and, “dkgr”.

715. DKGR's adjusted close on February 11, 2021 was \$0.0071—a 61% increase over the prior day's adjusted close of \$0.0042 per share.

716. On February 12, 2021, from about 9:32 a.m. to 10:34 a.m., Gallagher tweeted five DKGR touts, including: “\$DKGR GREAT BUY ZONE IMO! I SEE MUCH HIGHER HIGHS!” WORTH OF A CHALLENGE ALERT!! IMO \$DKGR IS A GREAT BUY RIGHT NOW”.

717. On February 12, 2021, starting at about 1:48 p.m., Gallagher sold, undisclosed, 1,000,000 shares of DKGR, 20% of his holdings of DKGR, at prices from \$0.0053 to \$0.0055 per share.

718. DKGR's volume on February 12, 2020 increased by 96% over the prior day. However, DKGR's price per share fell back to \$0.0043 and continued to decline.

719. From the evening of February 12, 2021 through February 13, 2021, Gallagher tweeted four DKGR touts, including two buy recommendation lists such as: “Tuesday hot tickers . . . \$dkgr oversold . . .”.

720. On February 19, 2021, Gallagher sold, undisclosed, his remaining 4,000,000 shares of DKGR at prices from \$0.0024 to \$0.0029 per share.

SCALPING OF DRNK

721. Gallagher made approximately \$42,400 in net profits by engaging in a scheme to scalp shares of NoHo, Inc. (“DRNK”), which he traded between February 24, 2021 and May 11, 2021.

722. On February 23, 2021, Gallagher received a DM from Associate EE: “\$DRNK . . . ready to run it to pennies”; and, “\$DRNK is the next play brotha”; and, “Drnk will get pumped hard, multiple pr's”.

723. On February 24, 2021, Gallagher bought 10 million shares of DRNK for prices from \$0.0029 to \$0.0036. While Gallagher was buying these shares, Gallagher sent a DM to Associate C: “A GUY I TRUST SAYS BUY \$DRNK PR COMING POST MARKET OR AFTER MERGER NEWS”. Associate C responded, “Drnk could run big”. Gallagher responded, “DRNK WILL BE GREAT TOMORROW IMO” and “YES DRNK”.

724. Gallagher then sent DMs to Associates Z and FF: “DRNK WILL BE GREAT TOMORROW IMO” and “drnk tomorrow big news coming”. Gallagher also sent a DM to Associate EE: “im not tweeting drnk till tomorrow\”.

725. On February 24, 2021, at about 3:30 p.m., Gallagher sold, undisclosed, 1,000,000 shares of DRNK, 10% of his holdings of DRNK, at \$0.0050 per share. When the market closed, Gallagher tweeted: “Good day! . . . \$drnk up 183% in late . . .”. At about 4:58 p.m., Gallagher tweeted a buy tout list that included \$drnk.

726. On February 25, 2021, Gallagher sold, undisclosed, his remaining 9 million shares of DRNK at prices from \$0.0058 to \$0.0076. While he was selling, Gallagher sent a DM to Associate F: “SELLING DRNK LOL” and, after the market closed, he sent a DM to Associate C: “FYI B D SAID TO GET OUT OF DRNK SUSPENSION CANDIDATE. I DID. JUST SHARING”. While Gallagher privately warned two Associates that he was selling, he did not disclose to his readers and followers that he was selling into the buy recommendation he tweeted the prior day.

727. On March 1, 2021, Gallagher sent a DM to Associate C: “\$drnk?”

728. On March 18 and March 19, 2021, Gallagher bought 8,000,000 shares of DRNK at prices from \$0.0030 to 0.0032 per share.

729. On April 5, 2021, Gallagher tweeted one tout list with \$drnk buy

recommendations.

730. On April 7, 2021 Gallagher tweeted at least seven DRNK touts, including: (2:38 p.m.): “\$drnk will gap up a minimum of 30% in the morning!! Get this now! I’m holding not selling!! \$drnk rocks . . . Easy money folks AM news buy hold get rich IMO!”.

731. On April 7, 2021, at 3:25 p.m. Gallagher sold, undisclosed, 1,000,000 shares of DRNK, approximately 12% of his holdings of DRNK, at prices from \$0.0053 to \$0.0054 per share.

732. On April 8, 2021 Gallagher tweeted multiple DRNK buy touts, including a red alert, “\$drnk alert buys!!”, and “\$drnk news tomorrow! . . . Buy \$drnk IMO!”

733. On April 9, 2021, Gallagher again falsely tweeted, “I have not sold a share of \$drnk . . .”. This was false given that Gallagher had sold DRNK shares two days earlier. Gallagher also tweeted: “biggest oversold today!! these are buys with catalyst \$drnk”.

734. On April 11, 2021, Gallagher tweeted a buy tout list: “This week’s must own OTCs . . . \$drnk”. The tweet received 54 comments, 43 retweets and 228 “likes”.

735. On April 12, 2021, Gallagher sold, undisclosed, 2,000,000 shares of DRNK, approximately 28% of his holdings of DRNK, at \$0.0032 per share.

736. On April 22, 2021, Gallagher tweeted a buy tout list that included \$drnk.

737. On May 11, 2021, Gallagher sold, undisclosed, his remaining 5 million shares of DRNK at \$0.022 per share.

SCALPING OF DPLS

738. Gallagher made approximately \$87,400 in net profits by engaging in a scheme to scalp shares of DarkPulse, Inc., (“DPLS”), which he traded from August 31, 2020 through July 28, 2021.

739. On August 31, 2020, Gallagher received two DMs from Associate GGG between 12:04 p.m. and 12:11 p.m.: “dpls is my next one fyi . . . just letting a few know . . . 0003 2.1B OS and current.” and “haha took fpvd from .0003 to .0027 in 4 days just starting here with dpls .0003 feel free to help out if you want. No dilution.”

740. On August 31, 2020, at about 12:09 p.m., minutes after having been contacted by Associate GGG to coordinate manipulation of DPLS, Gallagher bought 5,000,000 shares of DPLS at \$0.0003 per share.

741. Gallagher began touting DPLS the same day, tweeting a buy recommendation list after he completed his purchase of DPLS shares: “Tuesday list!!! . . . \$dpls . . .”

742. Gallagher also tweeted on August 31, 2020 that he “[j]ust grabbed 4 million...” shares of DPLS (he had actually purchased of 5,000,000 shares).

743. On October 7, 2020, Gallagher tweeted a red alert (a red GIF with a flashing red siren and “ALERT”) “\$dpls buy time!! trips runner ALERT!! CHEAP!!” On November 18, 2020, Gallagher bought 1,000,000 shares of DPLS for \$0.0003 per share.

744. On November 24, 2020, Gallagher tweeted five DPLS touts between 2:16 p.m. and 2:46 p.m. ET: “\$dpls trips runner!!! Get em cheap”; “\$dpls...”; “me tooo! \$dpls...”; “\$dpls one contract from real gold!!!”; and “\$dpls real cheap gamble lots of shares but they are cheap.”.

745. On November 24, 2020, at about 2:48 p.m., Gallagher sold, undisclosed, his remaining 6,000,000 shares of DPLS at a price of \$0.0004 per share — right after he tweeted his five buy touts noted above.

746. On January 4, 2021, Gallagher bought 4,700,000 shares of DPLS for prices from \$0.0011 to \$0.0012 per share.

747. On January 20, 2021, Gallagher tweeted a buy tout list: “Thursday list . . . \$dpls . .

. Retweet”.

748. On January 21, 2021, Gallagher sold, undisclosed, 700,000 shares of DPLS, approximately 15% of his holdings of DPLS, at \$0.0048 per share.

749. On Thursday, January 21, 2021, after his sale of 700,000 shares of DPLS, Gallagher tweeted a buy recommendation tout list: “Friday list! . . . \$DPLS . . . RETWEET GET A FOLLOW. . .”

750. On January 22, 2021, Gallagher sold, undisclosed, 1,367,008 shares of DPLS, approximately 34% of his holdings of DPLS, at prices from \$0.0048 to \$0.0056 per share.

751. On January 24, 2021, Gallagher tweeted a tout list, “\$tsnp \$dpls . . . LOVE EM”.

752. On January 25, 2021, Gallagher sold, undisclosed, 1,132,992 shares of DPLS, approximately 43% of his holdings of DPLS, at prices from \$0.0070 to \$0.0076 per share.

753. On January 25, 2021, Gallagher tweeted, \$dpls . . . all past alerts!! And people think I’m a scam!! Sad people today!” and “Cheap runners big gain potential 100% - 100000%... \$dpls”.

754. On January 26, 2021, Gallagher sold, undisclosed, 500,000 shares of DPLS, approximately 33% of his holdings of DPLS, at \$0.0131 per share.

755. On Tuesday, January 26, 2021, Gallagher tweeted a buy recommendation tout list: “Wednesday list . . . \$dpls . . . These I think run the highest % tomorrow”.

756. On January 28, 2021, Gallagher sold 200,000 shares of DPLS, approximately 20% of his holdings of DPLS, at prices from \$0.0114 to \$0.012 per share.

757. On January 28, 2021 in the evening, Gallagher tweeted a buy tout list that included \$dpls.

758. On January 29, 2021, Gallagher sold, undisclosed, 100,000 shares of DPLS,

approximately 13% of his holdings of DPLS, at \$0.014 per share.

759. On February 8, 2021, Gallagher tweeted a buy recommendation tout list: “Tuesday list! . . . \$dpls . . .”.

760. On February 9, 2021, Gallagher sold, undisclosed, 100,000 shares of DPLS, approximately 14% of his holdings of DPLS, at \$0.0425 per share.

761. On February 11, 2021, Gallagher sold, undisclosed, 100,000 shares of DPLS, approximately 17% of his holdings of DPLS, at \$0.0387 per share.

762. On February 15, 2021, Gallagher tweeted “\$dpls is my biggest % gainer”.

763. On February 16, 2021, Gallagher sold 100,000 shares of DPLS, 20% of his holdings of DPLS, at \$0.397 per share.

764. On February 16, 2021, after his sale executed, Gallagher tweeted a buy tout list that included \$dpls.

765. On February 18, 2021, Gallagher sold, undisclosed, his remaining 400,000 shares of DPLS at \$0.039 per share.

766. From June 18, 2021 through June 25, 2021, Gallagher bought 710,000 shares of DPLS for prices from \$0.0641 to \$0.074 per share.

767. On Tuesday, June 29, 2021, Gallagher tweeted a tout list, “Wednesday list . . . \$dpls . . .”.

768. On June 30, 2021, at about 12:14 p.m., Gallagher tweeted a red alert: “\$dpls alert buy again on news from trips to 8 cents this isn’t stopping.”

769. On June 30, 2021, late in the afternoon, Gallagher sold, undisclosed, 60,000 shares of DPLS, approximately 8% of his holdings of DPLS, at prices from \$0.088 to \$0.088450 per share.

770. On Thursday, July 1, 2021, Gallagher tweeted a buy tout list: “Friday list! . . . \$dpls green daily . . bigger gains! Longer holds! . . .”.

771. On July 2, 2021, Gallagher sold, undisclosed, 50,000 shares of DPLS, approximately 8% of his holdings of DPLS, at \$0.09480 per share.

772. On July 4, 2021, Gallagher tweeted, “. . . \$dpls . . . Both long term top 5”.

773. On July 6, 2021, Gallagher sold, undisclosed, 100,000 shares of DPLS, approximately 17% of his holdings of DPLS, at prices from \$0.1229 to \$0.1297 per share.

774. On Tuesday, July 6, 2021, Gallagher tweeted a tout list: “Wednesday list! Longs! . . . \$dpls . . .”.

775. On July 7, 2021 Gallagher sold, undisclosed, 60,000 shares of DPLS, approximately 12% of his holdings of DPLS, at prices from \$0.1469 to \$0.1593 per share.

776. On July 7 and 8, 2021, Gallagher tweeted two tout lists: “Thursday list! . . . \$dpls new highs. . .” and “Friday list . . . \$dpls . . .”. He also tweeted: “...\$dpls is the hot stock!”.

777. On July 9, 2021, Gallagher sold, undisclosed, 40,000 shares of DPLS, approximately 9% of his holdings of DPLS, at prices from \$0.1716 to \$0.17495 per share.

778. On Friday, July 9, 2021, Gallagher tweeted, “Monday excited list! . . . \$dpls beast . . .”.

779. On Monday, July 12, 2021, Gallagher sold, undisclosed, 200,000 shares of DPLS, approximately 50% of his holdings of DPLS, at prices from \$0.1206 to \$0.1975 per share.

780. On July 12, 2021, Gallagher tweeted, “\$dpls back to green! Can you believe fools saying it was a pump and dump!”

781. On July 13, 2021, Gallagher tweeted, in response to another tweet, “This guy thinks \$dpls dropped on a pump and dump alerted at 0008 in December . . . sheesh people. Don’t

get that stocks go up and stocks go down.”

782. On Wednesday, July 14, 2021, Gallagher tweeted a tout list: “Thursday list \$dpls beast...”. DPLS was his #1 buy recommendation in the tout.

783. On July 15, 2021, Gallagher sold, undisclosed, 50,000 shares of DPLS, approximately 25% of his holdings of DPLS, at \$0.1664 per share.

784. On July 17, 2021, Gallagher falsely tweeted, in response to another tweet: “\$dpls much respect! Buying more!” In fact, Gallagher’s last purchase of DPLS was on June 25, 2021 and he did not buy more shares of DPLS after this tweet.

785. On July 18, 2021, Gallagher tweeted, “OTC longs buy hold and forget and win! . . . \$dpls. . .”.

786. On July 19, 2021, Gallagher again tweeted a false statement that he had purchased more DPLS: “Got some cheap \$dpls. That’ll double, quick.”

787. On July 20, 21, 22 and 26, 2021, Gallagher tweeted DPLS buy touts: “Wednesday hot list . . . \$dpls . . .”; and “...\$dpls eyes on these”; and, in response to another Twitter user asking what stocks he should acquire: “\$. . . \$dpls. . .”; and “Tuesday updated . . . \$dpls”.

788. On July 27 and 28, 2021, Gallagher sold, undisclosed, his remaining 150,000 shares of DPLS at prices from \$0.0663 to \$0.0868 per share.

SCALPING OF DSGT

789. Gallagher made approximately \$20,500 in net profits by engaging in a scheme to scalping shares of DSG Global, Inc. (“DSGT”), which he traded between July 14, 2020 and November 25, 2020.

790. Gallagher bought 300,000 shares of DSGT on July 14, 2020 for prices from \$0.0402 to \$0.046 per share.

791. On August 24, 2020, at about 8:45 a.m., Gallagher tweeted “ALERT BUY \$DSGT” and, at about 12:20 p.m.: “In case you don’t know these are called dips!! on my top 4 . . . \$dsgrt . . . end of days will rock!! you need all these before tomorrow!! like you needed today!!”.

792. On August 24, 2020, from about 12:50 p.m. to 1:08 p.m., Gallagher, undisclosed, sold 60,000 shares of DSGT, 20% of his holdings of DSGT, at prices from \$0.162 to \$0.1701 per share.

793. On August 25, 2020, Gallagher tweeted a buy tout list that recommended \$dsgrt.

794. On August 26, 2020, Gallagher sold, undisclosed, 100,000 shares of DSGT, approximately 42% of his holdings of DSGT, at prices from \$0.0611 to \$0.065 per share.

795. On August 26, 2020, at about 5:22 p.m., Gallagher tweeted his buy tout list that included “\$dsgrt over sold!”

796. On August 27, 2020, Gallagher sold, undisclosed, his remaining 140,000 shares of DSGT at prices from \$0.0532 to \$0.0676 per share.

797. From September 22 through September 24, 2020, Gallagher bought 200,000 shares of DSGT for prices from \$0.085 to \$0.155 per share.

798. On Sunday, September 27, 2020, Gallagher tweeted approximately 14 DSGT touts, including a buy tout list “5 green Monday” that included “\$dsgrt EV cheap”.

799. On September 28, 2020, at about 8:14 a.m., Gallagher tweeted, “Must own Monday!! Again! . . . \$dsgrt . . .”.

800. Just over two hours later, Gallagher sold, undisclosed, 6,800 shares of DSGT, approximately 3% of his holdings of DSGT, at \$0.130 per share.

801. On September 29, 2020, Gallagher tweeted two tout lists with \$dsgrt and “\$dsgrt

my strongest of buys!!”; and, “Todays EOD loads!!! . . . \$dsgr more massive news coming . . . buy buy buy”.

802. On September 30, 2020, Gallagher sold, undisclosed, 60,000 shares of DSGT, approximately 31% of his holdings of DSGT, at prices from \$0.120 to \$0.121 per share.

803. On October 5, 2020, from about 8:01 a.m. to 11:17 a.m., Gallagher tweeted seven DSGT touts, including “Bigger must own list!! . . . \$dsgr . . .”.

804. On October 5, 2020, at about 1:16 p.m., Gallagher sold, undisclosed, 20,000 shares of DSGT, approximately 15% of his holdings of DSGT, at \$0.1156 per share.

805. After that undisclosed sale, on October 5, 2020, Gallagher tweeted six more DSGT touts, including: “Load before morning . . . \$dsgr”.

806. On October 6, 2020, Gallagher sold, undisclosed, 60,000 shares of DSGT, approximately 53% of his holdings of DSGT, at prices from \$0.1329 to \$0.1405 per share.

807. On October 7, 2020, Gallagher tweeted two buy tout lists including: “My list of long holds . . . \$dsgr . . .” and, on Thursday, October 8, 2020, Gallagher tweeted another buy tout list: “Friday list. . . . \$dsgr . . .”.

808. On October 9, 2020, Gallagher sold, undisclosed, 30,000 shares of DSGT, approximately 56% of his holdings of DSGT, at prices from \$0.167 to \$0.175 per share.

809. After this sale, Gallagher tweeted five more DSGT touts, including “Biggest must own ever!! People say you cant make money with many tickers!! Yes you can! . . . \$dsgr . . .To much gold!!”.

810. From October 10, 2020 through October 13, 2020, Gallagher tweeted approximately seventeen DSGT buy touts, including, on Sunday, October 11, 2020: “Updated Monday must own list! . . . \$dsgr . . . All a gainers!” and, after the market closed on Tuesday,

October 13: “Wednesday list!! . . . \$dsgrt . . .”.

811. On Wednesday, October 14, 2020, Gallagher sold, undisclosed, 10,000 shares of DSGT, approximately 43% of his holdings of DSGT, at \$0.169 per share.

812. On October 15, 2020, Gallagher bought 20,000 more shares of DSGT for prices from \$0.2695 to \$0.2806 per share. Starting immediately after his purchase, Gallagher tweeted eight DSGT touts, including: “End of day buys \$dsgrt . . . My alerts today!!!” and “Friday list!! . . . \$dsgrt”.

813. On October 16, 2020, Gallagher sold, undisclosed, 10,000 shares of DSGT, approximately 30% of his holdings of DSGT, at prices from \$0.2725 to \$0.2758 per share. Gallagher then tweeted five DSGT buy touts on Friday, October 16, 2020, including a “Monday list” that included with \$dsgrt.

814. On October 18, 2020, Gallagher tweeted two DSGT touts: “Holding \$dsgrt” and listing his favorite stocks, including \$dsgrt as a “long favs not trend of the day”.

815. On October 20, 2020, despite having tweeted two days earlier “Holding \$dsgrt” and that DSGT was a “long fav”, Gallagher sold, undisclosed, 20,000 shares of DSGT, approximately 86% of his holdings of DSGT, at prices from \$0.2670 to \$0.2901 per share.

816. On November 9, 2020, Gallagher bought another 15,000 shares of DSGT for prices from \$0.1995 to \$0.2002 per share. About an hour after his purchase, Gallagher tweeted: “\$dsgrt strong buy!!”

817. From November 9, 2020 through November 19, 2020, Gallagher tweeted approximately 22 DSGT touts, including on November 9: “Must owns!! . . . \$dsgrt . . . These will be massive tomorrow!! Buy end of day! Not in the AM!!” and, on November 19, 2021, a tout list with \$dsgrt.

818. On November 20, 2020, at about 2:02 p.m. and 3:14 p.m., Gallagher tweeted, respectively: “\$DSGT GOES BACK TO DOLLARS!” and “\$dsgr”.

819. On November 20, 2020, Gallagher then sold, undisclosed, 7,500 shares of DSGT, approximately 41% of his holdings of DSGT, at \$0.276 per share at about 3:45 p.m. Gallagher’s end of day sale coincided with when he had told his readers and followers to buy DSGT just a few days earlier (“\$dsgr. . . Buy end of day! Not in the AM!!”).

820. From November 21, 2020 through November 24, 2020, Gallagher tweeted eleven DSGT touts, including four \$dsgr buy tout lists such as: “Tuesday list!!! Best list ever! . . . \$dsgr” and “Follow @[Associate GG] We work very close together to find the good plays! Litteraly the same office!! Yes I have a office!! Go . . . \$dsgr It helps to have a team!” On November 25, 2020, Gallagher sold, undisclosed, his remaining 10,700 shares of DSGT at \$0.326 per share.

SCALPING OF EHOS

821. Gallagher made approximately \$21,500 in net profits by engaging in a scheme to scalp shares of Ehouse Global, Inc. (“EHOS”), which he traded from December 3, 2020 through February 19, 2021.

822. Gallagher bought 12,000,000 shares of EHOS on December 3, 2020 for \$0.0005 per share.

823. On December 3, 2020, Gallagher tweeted five EHOS touts, including a buy tout list that included: “\$ehos newbie (hint)”. On December 4, 2020, before the market opened, Gallagher tweeted: “Big runners today! \$ehos . . . You want this 4 in your account long”. At about 9:46 a.m. that day, Gallagher tweeted: “\$ehos my sleeper pick!! If ya wanna tip!!”

824. At about noon on December 4, 2020, Gallagher sold, undisclosed, his entire 12,000,000 shares of EHOS at \$0.0004.

825. On December 10, 2020, Gallagher bought 5,000,000 shares of EHOS for \$0.0003 per share. Immediately after buying the shares, Gallagher tweeted: “Added to my past alert of \$ehos! More alerts to come! .0003 too good to pass up! Lets see how this ages!”

826. On December 12, 2020, Gallagher tweeted a buy tout list: “Cheap trips near furture runners . . . \$ehos . . .”. Gallagher also tweeted, “In full disclosure which I don’t need to do this is my cost basis of \$ehos ignore my big oil losses. So those who think I’m some evil person. Can someone pay me for my losses? I’m not here to hurt. I’m here to share my plays have fun make money . . .”. Gallagher attached a screenshot that purportedly showed a decline in the value of his EHOS holdings. However, Gallagher did not disclose that he was selling into his buy touts which could both maximize his profits and minimize any potential losses.

827. On December 16, 2020, five days after having tweeted a buy tout list with \$ehos, Gallagher sold, undisclosed, sold all 5,000,000 of his shares of EHOS at \$0.0001 per share.

828. From February 8, 2021 through February 10, 2021, Gallagher bought 60,000,000 shares of EHOS for prices from \$0.0006 to \$0.0018 per share. On February 10, 2021, at about 11:08 a.m.. (about four minutes before completing his purchase of EHOS shares), Gallagher tweeted: “\$EHOS WINK!”.

829. Gallagher explained the power of his “WINK” tweets to manipulate an issuer’s share price in a series of DM exchanges with Associate C on March 1, 2021. Associate C wrote to Gallagher: “Winks are genius Sec can[]t do anything about a wink lol. Nobody else on Twitter could wink and influence a stock haha it[]s funny. I love it”. Gallagher wrote back in a DM to Associate C: “THEY MAY THINK IS CODE I INVENTED IT AND IT WORKS”. Associate C replied to Gallagher: “It works”.

830. On February 10, 2021, after having tweeted “\$EHOS WINK!”, starting at about

1:57 p.m., Gallagher sold, undisclosed, 12,278,393 shares of EHOS, approximately 20% of his holdings of EHOS, at prices from \$0.0020 to \$0.0023 per share. Gallagher's profit was approximately \$18,000.

831. On February 9, 2020, the adjusted close of EHOS was \$0.0011 per share. The adjusted close on February 10 — the day Gallagher tweeted his “\$EHOS WINK — was \$0.0022 per share. This represents a 100% increase share price which appears attributable to Gallagher's tweet.

832. On February 10, 2021, at about 5:19 p.m., Gallagher tweeted a buy tout list with “\$ehos hint wink”.

833. On February 11, 2021, at about 9:19 a.m., Gallagher tweeted “\$ehos future alert! just sayin! And was a past alert!” Starting at about 10:05 a.m., Gallagher sold, undisclosed, 5,000,000 shares of EHOS, approximately 10% of his holdings in EHOS, at prices from \$0.0022 to \$0.0025 per share. That afternoon, Gallagher tweeted: “\$EHOS!!! GREAT BUY TIME!!!”; and again, “\$EHOS WINK”.

834. On February 12, 2021, Gallagher sold, undisclosed, 6,721,607 shares of EHOS, approximately 16% of his holdings in EHOS, at prices from \$0.0013 to \$0.0016 per share. While selling these shares, Gallagher again tweeted: “\$ehos wink!”

835. On February 12 and February 13, 2021, Gallagher tweeted buy tout lists with \$ehos. On February 16, 2021, Gallagher falsely tweeted, “loading \$ehos”.

836. On February 18, 2021, Gallagher sold, undisclosed, 6,000,000 shares of EHOS, approximately 17% of his holdings in EHOS, at \$0.0012 per share.

837. On February 19, 2021, Gallagher sold, undisclosed, his remaining 30,000,000 shares of EHOS at \$0.0009 per share.

838. On February 26, 2021, the Commission suspended trading in EHOS because of questionable trading and social media activity.

SCALPING OF ENZC

839. Gallagher made approximately \$159,800 in net profits by engaging in a scheme to scalp shares of Enzolytics, Inc. (“ENZC”), which he traded from July 14, 2020 through March 19, 2021.

840. At 12:53 p.m. on July 14, 2020, Gallagher bought 3,000,000 shares of ENZC at \$0.0007 per share.

841. At 12:55 p.m. on July 14, 2020, just two minutes after completing his purchase of ENZC shares, Gallagher tweeted, “OK! OK! I bought \$enzc lets see how ya do!” and “\$enzc its cheap!”

842. On August 27, 2020, Gallagher bought another 4,000,000 shares of ENZC at \$0.0009 to \$0.001 per share.

843. On Wednesday, August 26, 2020, Gallagher tweeted his buy recommendation list: “Thursday list!!! . . . \$enzc . . .”.

844. On August 27, 2020, Gallagher tweeted, “\$enzc alert!!! Buy super cheap pre run”.

845. Between August 27, 2020 and September 15, 2020, Gallagher tweeted ten buy touts for ENZC.

846. On Tuesday, September 15, 2020, Gallagher tweeted his buy list: “Wednesday list!! . . . \$enzc . . .”.

847. On September 16, 2020, Gallagher sold, undisclosed, 3,000,000 shares of ENZC, approximately 43% of his holdings of ENZC, at prices from \$0.0018 to \$0.0035

per share.

848. On Wednesday, September 16, 2020, Gallagher tweeted an updated buy list: “Thursday list”, with \$enzc listed as his #1 buy recommendation. He also sent the following tweets: “Must owns thursday!! 1 \$enzc . . .” and “\$enzc is real!! If you sell for peanuts. You’re making a big mistake!” Gallagher re-tweeted this tout the next day.

849. On September 17, 2020, Gallagher sent the following tweets: “\$enzc must own #1”; “Two buys today!! \$enzc . . .”; “Friday already!! Must owns! 1 \$enzc . . .”; and “\$enzc shorts beware! Could be the worst mistake of your life!”

850. On September 18, 2020, Gallagher, undisclosed, sold 2,000,000 shares of ENZC, 50% of his holdings of ENZC, at prices from \$0.0055 to \$0.0058 per share.

851. On September 23, 2020, Gallagher tweeted, “\$enzc long hold for me these are bargain prizes cant wait for the news!!!”; and three tout lists such as: “. . . \$enzc . . . all great buys!! at these levels all”.

852. On September 24, 2020, Gallagher sold, undisclosed, 1,000,000 shares of ENZC, 50% of his holdings of ENZC, at \$0.0034 per share.

853. On Thursday, September 24, 2020, Gallagher tweeted: “Friday list!! Good stocks beat shorts!! . . . 3 \$enzc oversold”.

854. On September 25, 2020, Gallagher sold, undisclosed, 500,000 shares of ENZC, 50% of his holdings of ENZC, at \$0.0038 per share.

855. On September 28, 2020, Gallagher received a DM from a Twitter user asking for advice: “If you had minimal cash in stocks, would you sell QUTR and DSGT, and put it into ENZC?” Gallagher responded: “enzc”.

856. On September 28, 2020 after the market closed, Gallagher tweeted two touts for

ENZC: “Anyone honestly buying any[t]hing tomorrow. Me \$enzc dips any and all.

What ya really buying no pumps lol” and “If you don’t have plans to add or buy \$enzc you are not a smart OTC trader! I’m sorry it had to be said!”

857. On September 28, 2021, Gallagher did, in fact, purchase 1,000,000 shares of ENZC for \$0.0059 per share, and tweeted to his followers and readers that he did so.

858. However, on September 30, 2020, Gallagher sold, undisclosed, 300,000 shares of ENZC, 20% of his holdings of ENZC, at \$0.0051 per share.

859. From September 30, 2020 through October 9, 2020 when Gallagher was selling ENZC shares, he tweeted numerous ENZC touts to his readers and followers.

860. For example, on Sunday, October 4, 2020, Gallagher tweeted a buy tout list: “Monday list” with his #1 buy recommendation “\$enzc”.

861. The next day, October 5, 2020, Gallagher sold, undisclosed, 200,000 shares of ENZC, approximately 17% of his holdings of ENZC, at \$0.0103 per share.

862. On October 5, 2020, when he sold his own shares, Gallagher tweeted his readers to “...stop taking small profits...” and “If you dump \$enzc youll be missing out!!”

863. On October 7, 2020, Gallagher tweeted, falsely: “I have not sold a share!! \$enzc is a strong buy and will be my #1 tomorrow!!” In fact, Gallagher had already sold 7,000,000 shares of ENZC as of the day of this tweet.

864. On October 8, 2020, Gallagher tweeted, “End of day buys \$enzc”; and “must owns End of day . . . these will be my top three tomorrow!!”; and “Power Hour Buys!! 1 \$enzc”.

865. On October 9, 2020, Gallagher sold, undisclosed, 100,000 shares of

ENZC, 10% of his holdings of ENZC, at \$0.0174 per share and, contrary to his tweets, bought no shares.

866. On Sunday, October 11, 2020, Gallagher tweeted his buy tout list, “Updated Monday must own list!” with \$enzc his # 2 buy recommendation.

867. On October 12, 2020, Gallagher again urged his readers and followers to not sell ENZC: “yes people selling!! Not smart. \$enzc bounces back higher every time.”

868. On October 12, 2020, Gallagher bought 454,100 shares of ENZC for prices from \$0.0115 to \$0.0147 per share.

869. On October 12, 2020, Gallagher tweeted “Must owns!! Love when the list dont change much!! ... \$enzc” and “\$enzc still holding strong and adding”.

870. On October 13, 2020, at 10:57 a.m., Gallagher sold, undisclosed 200,000 shares of ENZC, approximately 15% of his holdings of ENZC, at \$0.010 per share.

871. Later the same day, Gallagher tweeted a tout that included ENZC: “\$enzc still holding strong and adding here”.

872. On October 14, 2020, Gallagher sold, undisclosed, 700,000 shares of ENZC, approximately 61% of his holdings of ENZC, at \$0.0131 per share.

873. From October 15, 2020 through October 18, 2020, Gallagher bought 400,000 shares of ENZC for prices from \$0.0137 to \$0.0139 per share.

874. On November 17, 2020 Gallagher tweeted, “\$enzc major alert AM buy!!”

875. On November 18, 2020, Gallagher tweeted his buy tout list, “Absolute must own OTC stocks!! I will make multi millions on these longs . . . \$enzc MILLIONS”,

876. On November 20, 2020, Gallagher, undisclosed, sold 600,000 shares of ENZC, approximately 70% of his holdings of ENZC, at prices from \$0.0157 to \$0.0191 per share.

877. On November 20, 2020, while he was selling ENZC, Gallagher urged his readers and followers to buy ENZC with the tweets: “ENZC BABY!!!1 FIRE!!” and “\$enzc loading time!!”

878. On November 21, 2020, Gallagher falsely tweeted that he was not selling shares of ENZC: “Any one who knows me know I don’t pump and dump! I can’t say sell. Never have I alerted a stock and sold. After alerting. I hold 90% long and collect free shares. I take profits as all should. \$tsnp and \$enzc will explode.”

879. Gallagher’s tweet that “Never have I alerted a stock and sold” and “I hold 90% Inog...” was false and misleading. For example, in just ENZC alone, Gallagher repeatedly sent alerts encouraging people to buy ENZC and he sold large quantities of ENZC within one or two days thereafter.

880. On Sunday, November 22, 2020, Gallagher tweeted: “Monday update! . . . \$enzc might be 1 massive . . . these are the best plays for Monday!”

881. On November 23, 2020, Gallagher sold, undisclosed, another 50,000 shares of ENZC, approximately 20% of his holdings of ENZC, at \$0.0279 per share.

882. On December 1, 2020, Gallagher again urged his readers and followers not to sell ENZC: “\$ENZC. SOME IDIOTS TEACH SELL ON THE NEWS! . . . SELL \$ENZC LOSE IN THE LONG RUN!!!” and he recommended they buy: “...I suggest you buy \$enzc” (on December 2, 2021); “\$enzc DD LOOK! AND BUY MY #2 that may be a mistake not being #1” (December 3, 2021); “A strong buy on \$enzc at this price!!” (December 4, 2021). On December 3, Gallagher also denied engaging in manipulative activity: “Couple of my bags to all those saying I pump and dump. I 100% don’t . . .”.

883. On December 2, 2020, Gallagher bought 400,000 shares of ENZC for

prices from \$0.0615 to \$0.063 per share.

884. On December 7, 2020, Gallagher sold, undisclosed, 14,100 shares of ENZC, approximately 2% of his holdings of ENZC, at \$0.089 per share.

885. On December 8, 2020, Gallagher received a DM from a Twitter user asking which stock he should invest \$5,000 in “for better return this month?” Gallagher responded: “enzc”.

886. On December 8, 2020, Gallagher sold, undisclosed, 120,000 shares of ENZC, approximately 20% of his holdings of ENZC, at prices from \$0.10 to \$0.117 per share.

887. On December 21, 2020, Gallagher bought 100,000 shares of ENZC for \$0.0487 per share.

888. On Monday, January 4, 2021, Gallagher tweeted his buy tout list which included ENZC: “Tuesday list!! These are long holds people . . . \$enzc . . . Long holds it’s a thing!”

889. On January 8, 2021, Gallagher sold 170,000 shares of ENZC, approximately 30% of his holdings of ENZC, at prices from \$0.080 to \$0.0814 per share.

890. On January 19, 2021, Gallagher tweeted a tout list: “...\$enzc . . . these are always on my list! You gotta pay for the good stuff.”

891. On January 20, 2021, Gallagher sold, undisclosed, 50,000 shares of ENZC, approximately 12% of his holdings of ENZC, at \$0.12 per share.

892. On Wednesday, January 20, 2021, Gallagher tweeted a tout list: “Thursday list . . . \$enzc . . . must own”.

893. On January 21, 2021, Gallagher sold, undisclosed, 50,000 shares of ENZC, approximately 14% of his holdings of ENZC, at prices from \$0.173 to \$0.174 per share.

894. On Thursday, January 21, 2021, Gallagher tweeted a tout list: “Friday big green!

. . . Long holds always . . . \$enzc . . .”.

895. On January 22, 2021, Gallagher sold, undisclosed, 50,000 shares of ENZC, approximately 17% of his holdings of ENZC, at \$0.173 per share.

896. On January 23, 2021, Gallagher tweeted: “Stocks I hold huge portions I add red days and sell small chunks on rip days! These are my favorite runners . . . \$enzc . . . This is how to make money in the OTC I never say the sell word! But we are here to make money Sell smart! Sell the ask!”

897. This was a false and misleading tweet, as it did not accurately characterize Gallagher’s trading pattern, which was to frequently sell large quantities of his holdings on days during which, or the day after, he had sent tweets encouraging his follower to buy shares of the stock he intended to sell.

898. On January 24, 2021, Gallagher tweeted, “Low risk gains OTC stocks the best IMO . . . \$enzc . . .”.

899. On January 25, 2021, Gallagher sold, undisclosed, 50,000 shares of ENZC, 20% of his holdings of ENZC, at prices from \$0.20 to \$0.201 per share.

900. On January 25, 2021, Gallagher tweeted: “Long hold list best overall OTC . . . \$enzc . . .”.

901. On January 26, 2021, Gallagher sold, undisclosed, 20,000 shares of ENZC, 10% of his holdings of ENZC, at \$0.242 per share.

902. On Sunday, January 31 and Monday, February 1, 2021, Gallagher tweeted tout lists “Monday big green . . . \$enzc . . .”.

903. On February 2, 2021, Gallagher sold, undisclosed, 20,000 shares of ENZC, approximately 11% of his holdings of ENZC, at prices from \$0.2503 to \$0.255

per share.

904. On Wednesday, February 3, 2021, Gallagher tweeted, “Wednesday list” and “Thursday list” which both included “\$enzc”.

905. On February 4, 2021, Gallagher sold, undisclosed, 40,000 shares of ENZC, 25% of his holdings of ENZC, at prices from \$0.499 to \$0.56 per share.

906. On February 4, 2021, Gallagher tweeted “OTC best of the best. These are the core of a good portfolio! . . . \$enzc . . .”.

907. On February 5, 2021, Gallagher sold, undisclosed, 20,000 shares of ENZC, approximately 17% of his holdings of ENZC, at \$0.545 per share.

908. On February 6, 2021, Gallagher tweeted, “Long holds! Buy these get rich simple! . . . 8 \$ENZC . . .”.

909. On February 7, 2021, Gallagher tweeted a tout list with “\$enzc . . . All winners here!!”

910. On February 9, 2021, Gallagher sold, undisclosed, 20,000 shares of ENZC, 20% of his holdings of ENZC, at prices from \$0.862 to \$0.935 per share.

911. On February 18, 2021, Gallagher bought 20,000 shares of ENZC for prices from \$0.396 to \$0.405 per share.

912. On February 19, 2021, Gallagher tweeted, “Best OTC stocks longs IMO! . . . \$enzc . . .”.

913. On February 21, 2021, Gallagher tweeted, “See my long list!! I increased positions in . . . \$enzc . . . and took out some fund for bitcoin and savings!”

914. On February 22, 2021, Gallagher sold, undisclosed, 10,100 shares of ENZC, approximately 10% of his holdings of ENZC, at prices from \$0.6599 to \$0.666 per share.

915. On February 24, 2021, Gallagher sold, undisclosed, 19,900 shares of ENZC, approximately 22% of his holdings of ENZC, at prices from \$0.702 to \$0.735 per share.

916. On Wednesday, February 24, 2020 at 9:58 p.m., Gallagher tweeted: “Thursday list!! ...\$enzc”.

917. On February 25, 2021, Gallagher sold, undisclosed, 10,000 shares of ENZC, approximately 14% of his holdings of ENZC, at \$0.6712 per share.

918. On Saturday, February 27, 2021, Gallagher tweeted, “Monday list! All pink current! We know the SEC is watching!!” Gallagher included: “\$enzc” and his #5 buy recommendation.

919. On March 5, 2021, Gallagher sold, undisclosed, 10,000 shares of ENZC, approximately 17% of his holdings of ENZC, at \$0.35 per share.

920. On March 8, 2021, Gallagher sold, undisclosed, 10,000 shares of ENZC, 20% of his holdings of ENZC, at prices from \$0.4275 to \$0.4297 per share.

921. On March 19, 2021, Gallagher sold, undisclosed, his remaining 40,000 shares of ENZC at \$0.293 per share.

SCALPING OF EVTI

922. Gallagher made approximately \$24,200 in net profits engaging in a scheme to scalp shares of Eventure Interactive, Inc. (“EVTI”) from January 6, 2021 through February 19, 2021.

923. On January 6, 2021, Gallagher bought 20,000,000 shares of EVTI for \$0.0003 per share.

924. On February 1, 2021, Gallagher sent a DM to Associate F: “evti im holding”.

925. On February 4, 2021, Gallagher tweeted: “Micro pennies best . . . \$evti . . .”.

926. On February 5, 2021, Gallagher tweeted: “Best trading day ever! Thanks to smart traders selling smart! . . . \$evti up 125% hint wink . . . Every alert higher! Post your gains tell your story!! Tell your friends We all get rich Sell smart!”

927. On Sunday, February 7, 2021, at 5:13 p.m., Associate X sent a DM to Gallagher: “... EVTI the one I am sharing at the open”. This is understood to be Gallagher’s Associate telling him that he would issue an alert to buy EVTI at the market open in order to increase EVTI’s price per share.

928. On February 10, 2021, Gallagher received a DM from Associate F: “EVTI Pump away :)”.

929. On February 10, 2021, Gallagher sold, undisclosed, 8,000,000 shares of EVTI, 40% of his holdings of EVTI, at prices from \$0.0021 to \$0.0023 per share. While he was selling these shares, Gallagher tweeted, “\$EVTI OHHH”.

930. On February 11, 2021, Gallagher sold, undisclosed, 2,000,000 shares of EVTI, approximately 17% of his holdings of EVTI, at \$0.0020 per share.

931. On February 11, 2021, Gallagher tweeted: “Get rich quick list! . . . \$evti . . .”.

932. On February 12, 2021, Gallagher sold, undisclosed, 1,454,615 shares of EVTI, approximately 15% of his holdings of EVTI, at \$0.0013 per share.

933. On February 13, 2021, Gallagher tweeted a tout list: “Some cheap otc’s I own part 1 do some DD . . . \$evti . . .”.

934. On February 17, 2021, Gallagher sold, undisclosed, 1,000,000 shares of EVTI, approximately 12% of his holdings of EVTI, at \$0.0016.

935. On Thursday, February 18, 2021, Gallagher tweeted a tout list: “Thursday list!

Whats hot! . . . \$evti . . .”.

936. On February 19, 2021, Gallagher sold, undisclosed, his remaining 7,545,385 shares of EVTI at \$0.0007 per share.

937. On February 26, 2021, the Commission suspended trading in the securities of EVTI because of questionable trading and social media activity.

SCALPING OF EVUS

938. Gallagher made approximately \$2,700 in net profits engaging in a scheme to scalp shares of EV Charging, Inc. (“EVUS”) from August 5, 2020 through November 12, 2020.

939. On August 4, 2020, Gallagher received a DM from Associate MMMM: “evus”.

940. On August 5, 2020, Gallagher bought 2,000,000 shares of EVUS for \$0.0018 per share.

941. On Friday, August 7, 2020, Gallagher tweeted a buy tout list with “\$evus . . . TOP 25 Must own 5 will be out Sunday!”

942. On August 11, 2020, at about 10:29 a.m., Gallagher tweeted: “Alert!! \$evus buy” and, at about 10:42 a.m., Gallagher tweeted: “\$evus is gonna run more!!”

943. At 2:59 p.m. on August 11, 2020, Gallagher sold, undisclosed, 1,000,000 shares of EVUS, 50% of his holdings of EVUS, at \$0.0032 per share.

944. From August 11, 2020, through September 24, 2020, Gallagher tweeted approximately 25 touts for EVUS; for instance, on September 24, 2020, he tweeted: “Thursday must owns!! . . . \$evus . . . Now go get em!!”.

945. On October 12, 2020, Gallagher bought 1,000,000 shares of EVUS, at \$0.0011 per share.

946. From October 19, 2020, through November 11, 2020, Gallagher tweeted ten

EVUS touts. For instance, on Monday, November 9, 2020, he tweeted a buy tout list: “Tuesday gold!! . . . \$evus . . .”.

947. On November 11, 2020, from about 12:29 p.m. to 2:30 p.m., Gallagher bought 1,982,721 shares of EVUS for \$0.0011.

948. The same day, from 12:29 p.m. to 12:35 p.m., Gallagher sent 4 DMs. One was to Associate C: “evus”. Three were sent to twitter users: “evus alert coming EV play makes sense”; and “evus alert coming”. From 12:37 p.m. to 12:49 p.m., Gallagher sent three tweets: “\$evus charging stations will be huge!! I see breakout contracts coming!! Strong buy alert!!!”; and, “\$evus is the future!! OIL OUT EV PLAY BUY \$EVUS”; and, “\$EVUS ON FACEBOOK!! \$23 BILLION DOLLAR INDUSTRY BY 2023 BUY \$EVUS”.

949. Gallagher started selling, undisclosed, his EVUS shares that day. At 12:58 p.m., Gallagher sold, undisclosed, 489,944 shares of EVUS, approximately 12% of his holdings of EVUS, at \$0.0016 per share.

950. At about 1:00 p.m. that afternoon, Gallagher tweeted: “\$evus breakout!!!”

951. Gallagher then continued selling, undisclosed, his EVUS shares. From 1:02 p.m. to 3:03 p.m., Gallagher sold, undisclosed, 3,450,403 shares of EVUS, approximately 99 % of his holdings of EVUS, at prices from \$0.0014 to \$0.0017 per share.

952. While selling these shares, Gallagher sent a DM to Associate C: “Evus was a bag! Now great profits. Why d9 people listen to me? So odd”.

953. On November 11, 2020, at about 4:05 p.m., Gallagher tweeted: “Alerts \$evus up 12% after”. This is understood to be Gallagher representing that his tweets and DMs raised EVUS’s share price 12%. At about 4:36 p.m., Gallagher tweeted a buy tout list with “\$evus charging”.

954. At 11:54 p.m. that day, a twitter user sent a DM to Gallagher: “saw you alerted EVUs today, you know its an abandoned ticker, and that company is actually owned by JNSH”.

955. Gallagher did not tweet a correction to his EVUS alerts based on this DM.

956. On November 12, 2020, Gallagher sold, undisclosed, his remaining 42,374 shares of EVUS at \$0.0013 per share.

SCALPING OF GEGP

957. Gallagher made approximately \$800 in net profits by engaging in a scheme to scalp shares of Gold Entertainment Group, Inc. (“GEGP”) on October 13, 2021.

958. On October 13, 2021, Gallagher bought 4,000,000 shares of GEGP for \$0.0024 per share.

959. Immediately after his purchase, Gallagher tweeted three touts: “Hey I added \$gegp too” (retweeting a tout); “\$gegp wow!” and “\$gegp next leg coming”.

960. On October 13, 2021, subsequent to his tweets, Gallagher sold, undisclosed, 1,000,000 shares of GEGP, 25% of his holdings of GEGP at \$0.0032 per share.

SCALPING OF GHST

961. Gallagher made approximately \$10,300 in net profits by engaging in a scheme to scalp shares of GHST World Inc., (“GHST”), which he traded from January 4, 2021 through January 7, 2021.

962. On January 3, 2021, Gallagher received three DMs from Associate C: “Ghst and pttm red bird”; and “They’re going to load ghst. Pretty sure. I know im supposed to be quiet until you sell bags”; and “So red bird group is loading ghst it’s gold.”

963. On January 4, 2021, Gallagher purchased 1,000,000 shares of GHST at \$0.0065 per share.

964. On January 4, 2021, Gallagher received another series of DMs from Associate C: “Ghst. I’m buying big.”; and “The red group hasn’t bought ghst yet. They’re all bid sitting”; and “Ghst?”; and “The other group has started loading ghst.”; and “Ghst”; and “I hope it’s ghst”.

965. On the evening of January 5, 2021, Gallagher tweeted: “Wednesday list...\$ghst.”

966. On January 6, 2021, at 8:59 a.m., Gallagher sent a DM to Associate C: “Ghst?” Associate C responded: “The other group is playing ghst anyways. They’ll start promoting it soon if it’s not an alert” and “Ghst price went up this morning. Maybe just from your list?”

967. Gallagher responded to the above DMs: “down big on ghst”.

968. Approximately a half hour after the end of the above DM exchange, Gallagher tweeted: “\$ghst good wink hint details coming!”

969. A few minutes later, at 1:06 p.m. on January 6, 2021, Gallagher sent a DM to Associate C: “put your DD on \$ghst out ill retweet and get you follows” and sent another DM at 1:23 p.m. “ghst lets blow this up”.

970. Gallagher then received a DM from a Twitter user: “Wait for me on GHST”.

971. Over the next 5 minutes, from 1:37 p.m. to 1:42 p.m., Gallagher sent DMs to nine Associates (Associates G, I, DD, and PP – UU): “ghst” or “ghst alert coming” or ghst alert coming good info.”

972. Gallagher then sent a DM to Associate C: “people in room selling to guy ghst”.

973. From 1:53 p.m. through 2:04 p.m. on January 6, 2021, Gallagher tweeted 7 buy touts for GHST including: “\$ghst Challenge alert!!! here comes the DD LOAD \$GHST” (with a red ALERT!!!! GIF); “\$ghst!! read your DD is right here Follow the DD queen! @[Twitter user] she brings winners”; and “RT @[Twitter user] \$GHST Red to Green Like a BOSS”.

974. On January 6, 2021, from approximately 2:07 p.m. to 3:08 p.m., Gallagher sold,

undisclosed, 600,000 shares of GHST, 60% of his holdings of GHST, at prices from \$0.018 to \$0.02.

975. While he was selling these GHST shares, Gallagher also tweeted 8 buy touts for GHST, including: “\$ghst I like this one”; “In case you missed the runner! before it runs! load \$ghst!! its good” (with a red ALERT!!!! GIF); “\$ghst!! green for days”; and “Thursday list...\$ghst”.

976. While Gallagher was tweeting buy touts and selling his shares of GHST, Associate G sent a DM to Gallagher saying: “GHST done”. Associate C also sent a DM to Gallagher saying: “I had fun with ghst :). Love scary.” and “Ghst! :)”.

977. On January 7, 2021, Gallagher sold, undisclosed, his remaining 400,000 shares of GHST at prices from \$0.0137 to \$0.0138 per share.

SCALPING OF GLCO

978. Gallagher made approximately \$16,000 in net profits by engaging in a scheme to scalp shares of Global Links Corp., (“GLCO”), which he traded from August 16, 2020 through August 19, 2020.

979. From the afternoon of August 16, 2020, through the early morning of August 17, 2020, Gallagher purchased 4,432,711 shares of GLCO for prices from \$0.0043 and \$0.0050 per share.

980. Between 10:00 a.m. and 2:06 p.m. on Monday, August 17, 2020, Gallagher tweeted nine buy touts for GLCO, including tweets such as: “Pre alert which means buy \$glco”; and “\$glco is a major buy!! Two cents buy Friday 400% gains” (with a red ALERT GIF); and “MY ALERTS HAVE BEEN VERY HOT!! GOOD MOVE I SEE 2 CENTS SOON!!! \$GLCO”; and “\$glco this dip taste real good!!!”

981. On August 17, 2020, at 2:34 p.m., Gallagher sold, undisclosed, 95,000 shares of GLCO, approximately 2% of his holdings of GLCO, at \$0.0083 per share.

982. On August 17, 2020, after the above sale, Gallagher continued to tweet eleven buy touts for GLCO, including: “End of day buys \$spom \$glco \$swhi \$rbii lone lines in the AM”; and “\$glco will be alerted again tomorrow load now!!”; and “Ok Twitter traders what ya buying tomorrow we gonna be green again! This runs in streaks. I'm adding \$glco”.

983. At 12:02 a.m. on August 18, 2020, Gallagher sent a DM to Associate WW: “glco buddy im back in opti at 5 cents”. Associate WW responded: “No I bought Glco this morning”. Gallagher wrote back: “glco is gonna run more your great”.

984. Later on August 18, 2020, from 8:03 a.m. until approximately 10:00 a.m., Gallagher tweeted six buy touts for GLCO, including retweeting two tout lists that included GLCO, and: “\$glco up pre market!! This one is easy!!! Buy \$glco” and “\$glco 1 penny down!! I said 3 pennys fast alerted at .005 that's 100% gains. Who's in for the next 100% gains? \$glco”.

985. At 10:23 a.m. on August 18, 2020, Gallagher sold, undisclosed, 500,000 shares of GLCO, approximately 12% of his holdings of GLCO, at \$0.0125 per share.

986. After the above sale, Gallagher tweeted at 11:50 a.m. on August 18: “\$GLCO I LOVE A GOOD CHART!! NEXT STOP 2 CENTS!!”

987. From approximately 2:25 p.m. through 3:50 p.m. on August 18, 2020, Gallagher sold, undisclosed, another 1,300,000 shares of GLCO, approximately 34% of his holdings of GLCO, at prices from \$0.0091 to \$0.0106 per share.

988. After the above sales, Gallagher tweeted another four buy touts for GLCO, including a buy list with GLCO on it, and: “Great day 3 greens is a row Thanks to...\$Glco”; and “@[Twitter user] Did you see the \$glco finish with all those profits . I see week long run!! Those

shorts got gobbled up”; and “Man! I over sleep and everyone sells my alerts!!! \$alst \$swhi \$glco \$spom. Time to get to work!!!”

989. On August 19, 2020, from 12:36 p.m. to 1:23 p.m., Gallagher sold, undisclosed, his remaining 2,537,711 shares of GLCO at prices from \$0.0070 to \$0.0075 per share.

SCALPING OF GTLL

990. Gallagher made approximately \$27,900 in net profits by engaging in a scheme to scalp shares of Global Technologies, Ltd., (“GTLL”), which he traded from December 24, 2020 through March 5, 2021.

991. On December 24, 2020, Gallagher bought 3,000,000 shares of GTLL for \$0.0005 per share.

992. On January 14, 2020, Gallagher bought 3,000,000 shares of GTLL for \$0.0017 per share.

993. From December 28, 2020, through January 20, 2021, Gallagher tweeted approximately sixty-four buy touts for GTLL and exchanged numerous DMs with Associates about GTLL. The tweets included: “\$gtll wink”; and, “\$gtll id like that”; and, “\$gtll is a strong buy”; and, “More \$gtll you all might want this!” and tout lists. For example, on Wednesday, January 20, 2021, Gallagher tweeted: “Thursday update big green on updates! 1 \$gtll just green daily . . . RETWEET equals FOLLOW”.

994. On January 14, 2021, Associate B sent a DM to Gallagher: “GTLL bro hopefully u in and still loving it,” to which Gallagher responded: “I RELOADED MORE GTLL.” Associate B later sent three DMs to Gallagher: “GTLL if we break .0021 this goes to .07 in no time like last run in 4 days So key to break that”; and “GTLL will have the spotlight this week boys hope you know that”; and “What else we looking at this week I’m just playing GTLL

DRGV this week”. Gallagher responded to the last DM saying, “i have both those. gtll ill be shouting all week”.

995. From January 14, 2021 through January 20, 2021, Gallagher tweeted 39 buy touts for GTLL. These tweets included: “\$gtll is a strong buy”; “More \$gtll you all might want this!”; and “\$gtll is on my must own list!! how you felling? It aint stopping!”

996. On Thursday, January 21, 2021, Gallagher tweeted three buy touts for GTLL, between approximately 8:00 a.m. and 9:45 a.m.: “\$gtll trading on more platforms! Look for another big day!”; and “YES!! \$CYIO AND \$GTLL ARE #1 ON MY THURSDAY LIST!”; and “GRADE THIS LIST!! \$CYIO \$GTLL #1s”.

997. Less than an hour later, at 10:35 a.m., Gallagher sold, undisclosed, 1,000,000 shares of GTLL, approximately 17% of his holdings of GTLL, at \$0.0066 per share.

998. On January 22, 2021, Gallagher tweeted three GTLL buy touts between approximately 8:30 a.m. and 9:20 a.m.: “\$gtll the run continues”; and, “RT @AlexDelarge6553: Friday big green!...GTLL...”; and “RT @[Twitter user] \$GTLL Gapping Hard Premarket!!! Something BIG is COMING!!!!...”

999. Less than an hour later, at 10:12 a.m. that day, Gallagher sold, undisclosed, 4,000,000 shares of GTLL, 80% of his holdings of GTLL, at prices ranging from \$0.005 to \$0.0069 per share.

1000. From January 23, 2021, through February 27, 2021, Gallagher tweeted thirty-five buy touts for GTLL, including: “\$GTLL GOOD STUFF!!”; and “\$GTLL IS A DEFINITELY A MUST OWN!!”; and “love and own \$gtll”.

1001. On Saturday, February 27, 2021, at 12:41 p.m., Gallagher tweeted a buy tout list “Monday list! All pink current! We know the SEC is watching!! . . . 9 \$gtll . . . “.

1002. On February 28, 2021, Gallagher tweeted: “\$gtll my #9”, referring to \$gtll as his ninth recommended stock on his tout list a day earlier.

1003. On March 5, 2021, Gallagher sold, undisclosed, his remaining 1,000,000 shares of GTLL, at prices from \$0.0051 to \$0.0052 per share.

SCALPING OF HDII

1004. Gallagher made approximately \$77,500 in net profits by engaging in a scheme to scalp shares of Hypertension Diagnostics, Inc. (“HDII”), which he traded from December 24, 2019 to February 16, 2021.

1005. On December 24, 2019, Gallagher bought 820,987 shares of HDII for \$0.0135 per share.

1006. On February 20, 2020, Gallagher tweeted: “\$hdii in case ya havent noticed another merger coming. Get in now while still cheap”; and “\$hdii...Get in now. Or miss out”.

1007. On February 21, 2020, Gallagher bought 25,000 shares of HDII for \$0.02455 per share.

1008. On February 21, 2020, Gallagher sold, undisclosed, 200,000 shares of HDII, approximately 24% of his holdings of HDII, at \$0.0264 per share.

1009. On March 13, 2020, Gallagher bought 200,000 shares of HDII for prices from \$0.0196 to \$0.0264 per share.

1010. On May 4, 2020, Gallagher tweeted, “My top mkt value pennies for Tuesday (Monday sucked) rebound Tuesday I call it. Much wealth everyone! . . . 4) \$hdii”.

1011. On May 5, 2020, Gallagher tweeted that “hdii had a merger meeting” and “I believe a deal is in the works if not already agreed.”

1012. On May 6, 2020, Gallagher tweeted: “...\$hdii merger any day!”

1013. On May 7, 2020, at 1:08 p.m., Gallagher tweeted: “@[Twitter user] \$sbes and \$hdii will do the same as \$spom just patience needed!” At 1:21 p.m., Gallagher tweeted: “No bullshit tweet buy \$spom \$sbes \$hdii \$zmrk in that order hold and youll be rich no matter how little you buy!!”

1014. On May 7, 2020, at 1:22 p.m., Gallagher bought 169,000 shares of HDII at \$0.0225.

1015. On May 7, 2020 at 1:32 p.m., Gallagher sold, undisclosed, 200,000 shares of HDII, approximately 20% of his holdings of HDII, at \$0.024 per share.

1016. On May 7, 2020, after selling, Gallagher tweeted: “Ok recap sense Monday I tweeted best stocks to own . . . 2) \$hdii shell and future merger which meeting happened and we will hear the result of that meeting soon . . . I think I'm spot on!”; and “\$hdii cheap #gold”.

1017. On May 8, 2020, Gallagher tweeted to three twitter users, “nice job hope before the late day run \$hdii itll run today as well. buy dips and hold”.

1018. On May 9, 2020, Gallagher tweeted to four twitter users that if they buy HDII they should “be prepared to hold”.

1019. On May 10, 2020, Gallagher tweeted two times speculating about an imminent HDII merger.

1020. On May 11, 2020 at 7:10 a.m., Gallagher tweeted: “Big Monday!...\$hdii time to shine”.

1021. On May 11, 2020, from 10:11 a.m. through 10:47 a.m., Gallagher sold, undisclosed, 314,987 shares of HDII, approximately 39% of his holdings of HDII, at prices from \$0.03 per share to \$0.0319 per share.

1022. On May 11, 2020, Gallagher re-tweeted “...\$hdii We need a push!”

1023. On May 13, 2020, Gallagher tweeted "...big \$hdii news coming!"; and "...\$hdii keep holding for riches"; and (directed to two Twitter users) "in time \$hdii first these mergers take time. buy \$hdii its cheap and your covered. they have already had merger meeting PR.".

1024. On May 14, 2020 at 10:26 a.m., Gallagher tweeted: "\$hdii another 52 week high. love the trend."

1025. On May 14, 2020 at 11:36 a.m., Gallagher sold, undisclosed, 50,000 shares of HDII, approximately 10% of his holdings of HDII, at \$0.0546 per share.

1026. On May 27, 2020, Gallagher tweeted, "Funny question am I a pumper? Fuck yes I'm a pumper . when I see a winner im buying and spreading the word.if you dont have me on notification you missed . . . \$hdii at 2 cents . . . Yes I'm a pumper!"

1027. On May 28, 2020, Gallagher bought 100,000 shares of HDII for \$0.0577 per share.

1028. On May 28, 2020, Gallagher tweeted:"\$hdii 52 week high alert very close"; and "Love the list very much you have to have . . . \$hdii is ready to explode I feel that tomorrow we cash big!! I don't like to lose!".

1029. On May 29, 2020 from 9:25 a.m. through 12:38 p.m., Gallagher tweeted 8 buy touts for HDII, including: "@[Twitter user] i own alot of \$hdii for this reason!"; "\$hdii Insta buy control has been taken load the \$hdii news!"; and "\$hdii almost 10 cents and 52 week high and the next \$spom and its on the list!"

1030. On May 29, 2020, from 11:42 a.m. through 2:43 p.m., Gallagher sold, undisclosed, 100,000 shares of HDII, approximately 18% of his holdings of HDII, at prices from \$0.105 per share to \$0.1201 per share.

1031. While Gallagher was engaged in the above sales, he tweeted: "\$inqd \$tts \$hdii

great end of day buys these are runners early monday you dont wanna chase in the AM”; “whos happy today? \$hdii \$spom \$tlss \$trep \$inqd ?”; and “the king has spoken @[Twitter user] follow and buy \$spom \$hdii \$sbes \$adgs \$zmrk”.

1032. On May 31, 2020, Gallagher tweeted, “\$hdii the real deal”; and “Monday runner 10 for 10 green updated list . . . \$hdii . . . I will be adding \$10k in each one. . .”.

1033. On May 31, 2020, Gallagher encouraged a Twitter user to invest \$1,000 in HDII and projected astronomical 10 day returns: “@[Twitter user]. . . 4k in \$spom 1k in \$hdii to start IMO gold and will be 10k in 2 days lets see how this works.”

1034. On June 2, 2020, Gallagher tweeted: “Tell me whos buying the \$hdii dip? This is how you make money. dont panic and never get emotional. \$hdii will finish green”; and “must buys now . . . \$hdii these will reboung huge dont wait for the AM and pay more when you see the movement history repeats”; and “i made some calls to turn this shit around all will be restored . . . \$hdii . . .”.

1035. On June 3, 2020, from 7:30 a.m. through 2:22 p.m., Gallagher tweeted 5 buy touts for HDII, including: “I sure hope you bought tje \$hdii dip \$axxa \$zhud dips your gonna be happy today” and “even if you sell later this \$hdii dip is gold buy now EOD will be higher”.

1036. On June 3, 2020 at 2:27 p.m., Gallagher sold, undisclosed, 10,000 shares of HDII, approximately 2% of his holdings of HDII, at a price of \$0.135 per share.

1037. On June 8, 2020, Gallagher tweeted: “The power of the list . . . 4 \$hdii +21[%] . . .”.

1038. On June 9, 2020 Gallagher received a DM from a Twitter user: “Hey Alex, I recently got into stocks and have an account with my company (broker/dealer) that is up to 5k (airlines helped me a bit)..do you suggest trading out and using those funds in order to get into

HDII and SBES, I already have \$1,200 allocated between spom and tlss..the potential with penny stocks seems much greater”. Gallagher responded: “hdii cheap right now and spom would be my choice”.

1039. On June 9, 2020, Gallagher tweeted, “Secret Alert: this is called a \$hdii dip. Strongly suggest you add this dip. It's only a freaking monster !”

1040. Gallagher did not buy HDII despite alerting his followers and readers to buy on June 9, 2020.

1041. On June 10, 2020, Gallagher tweeted, “got some great buys today \$hdii . . . let's see the \$spom and \$hdii opens”.

1042. Gallagher’s tweet that he bought HDII on June 10, 2020 (“got some great buys today \$hdii”) was false. Gallagher only sold HDII in June 2020.

1043. On June 10, 2020 Gallagher again tweeted his false claim that he bought HDII the prior day: “Good morning all! I feel a much better day today after my bargain shopping day yesterday! What's everyone excited for today? Me, . . . \$hdii . . . tell me what you are buying 100% today.”

1044. On June 16, 2020, Gallagher tweeted: “Going with big 2 tomorrow you all know what I hold. The bigs must haves for the week and month are 1 . . . \$hdii . . . Earnings will propel all these to greatness.”

1045. Contrary to his representation in his June 16, 2020 tweet, Gallagher did not buy HDII the next day.

1046. On June 17, 2020, Gallagher tweeted an HDII buy alert: “Alert;; buy \$hdii news”; and “Sell your garbage and buy . . . \$hdii . . . they ill all be up much over the next many days.”

1047. On June 17, 2020, Gallagher tweeted, “Just a reminder these stocks will be much

more in the AM . . . \$hdii . . . buy EOD instead of AM just saying.”

1048. On June 18, 2020, Gallagher sold, undisclosed, 40,000 shares of HDII, approximately 9% of his holdings of HDII, at prices from \$0.1215 to \$0.128 per share.

1049. On June 19, 2020, Gallagher re-tweete: “Own this shit! . . . \$hdii . . . even haters need this now!”

1050. On June 20, 2020, Gallagher tweeted: “Great \$hdii buying opportunity for sure exciting times”.

1051. On June 23, 2020, Gallagher tweeted, “...Let's banned together as a team and all bring peace to the world! Buy . . . \$hdii . . . it's time for celebration!”

1052. On June 23, 2020, Gallagher, undisclosed, sold 25,000 shares of HDII, approximately 6% of his holdings of HDII, at \$0.106 per share.

1053. On June 24, 2020 at 1:08 a.m., Gallagher tweeted: “AM buys \$hdii...”

1054. On June 24, 2020 at 3:23 p.m., Gallagher sold, undisclosed, 25,000 shares of HDII, approximately 6% of his holdings, at \$0.1 per share.

1055. On June 29, 2020, Gallagher tweeted a buy tout list: “Updated Monday list 1 . . . \$hdii . . . all Mr Xu plays a must . . . follow and learn!”

1056. On June 30, 2020, Gallagher tweeted: “...\$hdii up 3000%...”.

1057. On July 2, 2020, Gallagher sold, undisclosed, 50,000 shares of HDII, approximately 14% of his holdings of HDII, at a price of \$0.095 per share.

1058. On July 11, 2020, Gallagher tweeted and re-tweeted over the course of the day: “Monday list RETWEET AND LIKE ILL FOLLOW BACK. More eye helps us all! . . . 9 \$hdii news”.

1059. On July 13, 2020, Gallagher tweeted, “I will be alerting \$hdii in the AM buy all

the \$hdii you can! if Shanghai cintel merger drops this will fly to \$10 a share before earning cintel earnings has more than 5 billion a year! This is very possible sense they had a PR of this meeting in february!. \$hdii is a must own!”

1060. On July 14, 2020, Gallagher tweeted, “\$hdii is my strong buy today” and “Buy \$hdii before this weeks news!”; and “on a Bright note \$hdii my alert this AM is rolling up 13% really was thinking 25% minimum today for \$hdii. there will be news this week per @meihuaxu much gains to come by friday buy \$hdii merger coming!”

1061. On July 14, 2020, Gallagher tweeted, “Ok Wednesday alert will remain the same! News this week changes everything about \$hdii this will be a buy till [link] this update makes \$hdii .30 cents! PR makes this dollars if we get what the rumor is! List coming!”

1062. On July 16, 2020, Gallagher tweeted, “\$hdii should be the stock you own before EOD good thing most of us do! news within 27 hours!”; and “\$hdii has been alerted all week! if they don't have now its on them. the biggest potential otc news very well could be coming tomorrow.”

1063. On July 17, 2020, from 12:02 a.m. through 10:33 a.m., Gallagher tweeted 11 buy touts for HDII including: “\$hdii all in time thank you for the update!”

1064. On July 17, 2020 at 11:09 a.m., Gallagher sold 2,800 shares of HDII, approximately 1% of his holdings of HDII, at a price of \$0.16 per share.

1065. On July 19, 2020, Gallagher tweeted: “RETWEET gets a follow! Follow me! I will show you OTC and big board gains! . . . Otc . . . \$hdii . . . Put something in these you will win this week!”

1066. On July 21, 2020, prior to the market opening, Gallagher tweeted: “You All might wanna add or get a fuck load of \$hdii if this happens 100k shares makes you a instant

millionaire!”

1067. On July 21, 2020, Gallagher sold, undisclosed, 47,200 shares of HDII, approximately 16% of his holdings of HDII, at prices from \$0.151 to \$0.1548 per share.

1068. On July 25, 2020, Gallagher tweeted, “Monday update! RETWEET GETS A FOLLOW . . . 4 \$HDII . . . 1-25 GOOD LUCK! RETWEET!”

1069. On July 27, 2020, Gallagher tweeted, “\$spom sub penny to .165 in 6 months 2500% same with \$hdii better than \$aapl \$amzn \$tsla , I WIN!”

1070. On July 28, 2020, Gallagher tweeted, “PEOPLE SELLING FOR STUFF MOVING! \$HDII NEW HITS GAME OVER AND SAD PEOPLE. IM NOT SELLING! i KNOW WHAT \$HDII IS.”

1071. On July 28, 2020, Gallagher bought 100,000 shares of HDII for \$0.0899 per share.

1072. On July 28, 2020, Gallagher tweeted, “LOL! Got my buy order of 100k shares of \$hdii ill post when clears”.

1073. On Wednesday, July 29, 2020, Gallagher tweete: “Thursday lists top 25! . . . 3 \$hdii . . .”.

1074. On the morning of July 30, 2020, Gallagher retweeted a tout list that he had previously posted that included HDII.

1075. On July 30, 2020, in the afternoon, Gallagher sold, undisclosed, 150,000 shares of HDII, approximately 43% of his holdings of HDII, at prices from \$.1 per share to \$0.1093 per share.

1076. On July 30, 2020, while he was selling his 150,000 shares of HDII, between about 2:22 p.m. and 3:21 p.m., Gallagher tweeted: “. . . \$HDII with news very very soon! load them

all!”.

1077. On Tuesday, August 4, 2020, Gallagher tweeted, “Wednesday list . . . \$hdii . . .”.

1078. On August 5, 2020, Gallagher tweeted: “\$hdii merger news any day now! Many millionaires will ne made! Very very very soon”.

1079. On August 6, 2020 ,at 7:16 a.m., Gallagher tweeted: “RT @AlexDelarge6553: \$spom or \$hdii lol”.

1080. On August 6, 2020 at 10:47 a.m., Gallagher sold, undisclosed, 50,000 shares of HDII, approximately 25% of his holdings of HDII, at \$0.11 per share.

1081. On August 6, 2020, Gallagher tweeted: “merge info \$hdii 1 dollar in seconds 2 dollars minutes”.

1082. On August 7, about an hour after the market opened, Gallagher tweeted:, “. . . @hdii merger! is gold! read between the lines”.

1083. On August 7, 2020, Gallagher sold, undisclosed, 50,000 shares of HDII, approximately 33% of his holdings of HDII, at a price of \$0.12 per share.

1084. On August 10, 2020, Gallagher tweeted, “ALERT!! BUY \$HDII !”.

1085. On August 23, 2020, Gallagher tweeted, “Monday big list!! Top 5 must owns this week . . . Bonus . . . \$hdii high alert!”

1086. On August 25, 2020, Gallagher tweeted: “. . . Now we ride \$hdii.”.

1087. On August 25, 2020, Gallagher tweeted: “Wednesday list! . . . 2 \$hdii current . . .”.

1088. On August 25, 2020, Gallagher sent the following tweets: “\$hdii is a freaking must buy!! Most mergers need a big RS. Mr[] gets it done! Haters hate! Facts are facts! . . .”; and “Wednesday buys some new runners! 5 must owns . . . 2 \$hdii . . . Tuesday fuck us is over!! The OTC MM dont wanna lose us we win the rest of the week!!”; and “\$hdii is the play!! She'll

with proven merger!!”

1089. On the morning of August 26, 2020, Gallagher retweeted previous buy lists that included HDII.

1090. Later on August 26, 2020, Gallagher sold, undisclosed, 25,000 shares of HDII, approximately 50% of his holdings of HDII, at prices from \$0.1085 to \$0.111 per share.

1091. Between August and December 2020, although Gallagher did not trade HDII, he continued to tout HDII on Twitter to his followers and readers. These touts included tweets such as: “I am baffled you guys are not loading \$hdii do you think it's pink current for no reason! If you don't own \$hdii you don't get it!!” (September 4, 2020); “wow, \$hdii is cheap!!”; and at least twenty tout lists that included HDII.

1092. On Saturday, November 14, 2020, Gallagher tweeted: “Monday hot stocks!! Gotta own . . . Bonus \$hdii . . .”; and, on December 3, 2020, he tweeted: “Shit!! That's why \$hdii is moving [attaching tweet from HDII executive, “Let us make Penny Stocks Great Again!]”.

1093. On December 15, 2020, Gallagher resumed trading HDII and sold, undisclosed, 75,000 shares of HDII, approximately 100% of his holdings of HDII, at \$0.027 per share.

1094. On January 21, 2021, an Associate DM'd Gallagher: “HDII .023-.03 CHINA PLAY POTENTIAL . . . “.

1095. Gallagher responded to the Associate: “HDII you like this?”

1096. The Associate responded to Gallagher: “I like the HDII floor in”.

1097. Gallagher responded to the Associate: “tomorrow hdii”. “IVE never disagreed with ya but hdii people are werey of”.

1098. The Associate responded: “HDII”.

1099. On January 21, 2021, Gallagher alerted five Associates to the scheme: “hdii load for tomorrow”; “alerting hdii tomorrow add now dont tweet or say anything please”; “hey between us big alert on hdii tomorrow. please dont share. dont sell till after tomorrow”; “biden china play HDII HUGE. EVEN THOUGH UP TODAY”; “hdii load for tomorrow”; “hdii tomorrow”; “buy hdii alerting tomorrow”.

1100. On January 21 and January 22, 2021, after having first been contacted by his Associate about the HDII scheme, Gallagher bought 1,200,000 shares of HDII for prices from \$0.315 to \$0.455 per share.

1101. On January 22, 2021, Gallagher sent DMs to an additional 24 Associates which included the messages: “hdii today”; “hdii grab some”; “hdii is good today”; “hdii late alert. please don’t sell today”; “hdii late alert”; “hdii late alert. please don’t sell today”; “hdii buy”; “hdii grab some”; “hdii grab some and hold”; “hdii alert 345 please don’t sell today it’ll soar nobody has been dumping latly. tell trusted people. gives alerts credibility for the next one. cool?”; “hdii late alert. please dont sell today”; “hdii im alert buy hold till monday”.

1102. On January 22, 2021, after having alerted his Associates, Gallagher DM’d the first Associate with whom he devised the scheme: “got the hdii thanks again”.

1103. On January 22, 2021, starting at about 3:46 p.m., Gallagher tweeted the first of eight buy alerts for HDII: “CHALLENGE ALERT BUY \$HDII BIDEN PLAY ON PEACE WITH CHINA!! STRONG BUY \$HDII LAST RUN TO .205 LOW LEVELS .04 BOTTOM [link to unidentified twitter page]”; and “\$HDII [link to unidentified twitter page]”; and “14 green days in a row! Wow . . . \$hdii +35% alerted . . . Great day! Alerts fire! Longs fire! I hope green for all! [link to unidentified twitter page]”; and “Monday list . . . 3 \$hdii. . . RETWEET=follow”; and “\$spom merger was this time last year! \$hdii dropping the completion

of the merger any day! This price jump isn't a fluke!"; and "Long hold list best of the best OTC . . . \$hdii . . . Low risk best of the best! Low risk easy gains Hold win"; and "RT [@Associate R]: \$HDII .0455 China Play Gap up Monday".

1104. On January 22, 2021, one of the Associates who Gallagher had alerted to the scheme earlier that day, sent Gallagher a DM: "im gonna do a vid over the week end on hdii too. give u a shout out for it. great call thank you so much. sorry for the million texts lol".

1105. On the evening of January 23, 2021, Gallagher sent a DM to an Associate: "wait for entry on hdii i wanted you inn pre alert, hope to hear news soon."

1106. On January 23, 2021, at 12:35 a.m., Gallagher tweeted, "Hey! Alerted \$hdii today at 345! Here is my buy order at 3:58 is this a pump and dump or a pump and help followers!...". That 3:58 buy order was for 50,000 shares of HDII: just 4% of his HDII purchases from January 21 and January 22, 2021.

1107. Gallagher did not disclose to his readers and followers that he had bought 1 million shares of HDII on January 21, the day before his alert, or that he had purchased an additional 150,000 shares on January 22, prior to beginning to send his touts .

1108. Later on January 23, 2021, Gallagher tweeted: "\$hdii ready to pop!! Last year \$spom merger made me a million! \$hdii I'm loaded history repeats. Merger happens this qtr!! \$hdii retraces to new highs! Biden China relations improve." and "RT @AlexDelarge6553: Hey! Alerted \$hdii today at 345! Here is my buy order at 3:58 is this a pump and dump or a pump and help followers!"

1109. On January 24, 2021, the Associate who told Gallagher that a video would be produced about HDII DM'd Gallagher: "Hey bud I'm gonna drop the HDII vid tomorrow around lunch time should have nice close tomorrow and great open. I pray the vid helps. Thanks for

hooking me up. Very generous.”

1110. On January 24, 2021, Gallagher alerted two Associates via DM’s: “hdii buddy” and “omid and hdii”.

1111. On Sunday, January 24, 2021, Gallagher tweeted 15 touts of HDII, including: “Monday green the big 7!! . . . 3 \$hdii. . . 7 for 7 big green!!”; and “\$hdii [@Twitter user] gets it! \$hdii merger will be complete soon! Thats why alerted!”; and “\$HDII Stock price deterioration along with Chinese/US relations. Merger coming . . .”; and “\$hdii! New highs coming!”; and “Monday potential buy list: 1. \$hdii . . .”; and “\$hdii I believe we get final merger news any day!”.

1112. On January 25, 2021, prior to the market opening and during the trading day, Gallagher tweeted 16 HDII buy touts, including: “Last alert!!! \$hdii Get ready!! \$hdii will hit new highs!”; and “\$hdii you’ll want load!”; and “\$hdii!! great new merger info coming!”; and “Friday ALERTS!! . . . \$HDII GOLD!!”; and, “\$HDII Thin! Past .059 we get the real food!”; and “RT @OTCHACKZ: @AlexDelarge6553 Mr Radio silent tweeted this tonight. I think HDII bigger than most think...”.

1113. On January 25, 2021, Gallagher sold, undisclosed, 660,500 shares of HDII, approximately 55% of his holdings of HDII, at prices from \$0.053 to \$0.0737 per share.

1114. On January 26, 2021, Gallagher sent 4 HDII tweet, including: “What a great three months! Thanks to . . . \$hdii . . . “; and “\$hdii big green every day!!”; and “\$hdii consolidation was due! merger news! Still in play!”; and “Power Hour !!!!! Do I hear an AMEN ??? Let’s go!!!! . . . \$HDII”.

1115. On January 27, 2021, Gallagher tweeted: “\$hdii good stuff coming!”

1116. On February 4, 2021, Gallagher sold, undisclosed, 139,500 shares of HDII,

approximately 26% of his holdings of HDII, at prices from \$0.0318 to \$0.0317 per share.

1117. On February 8, 2021, Gallagher sold, undisclosed, 100,000 shares of HDII, approximately 25% of his holdings of HDII, at 0.0495 per share.

1118. On February 10, 2021, Gallagher sold, undisclosed, 100,000 shares of HDII, approximately 33% of his holdings of HDII, at \$0.0481 per share.

1119. On February 12, 2021, Gallagher sold, undisclosed, 100,000 shares of HDII, approximately 50% of his holdings of HDII, at \$0.0568 per share.

1120. On February 15, 2021, Gallagher tweeted: “Have you observed 200000% runners like . . . \$hdii . . .”.

1121. On February 16, 2021, Gallagher sold, undisclosed, his remaining 100,000 shares of HDII at \$0.0472 per share

SCALPING OF INND

1122. Gallagher made approximately \$30,000 in net profits by engaging in a scheme to scalp shares of Innerscope Hearing Technologies, Inc., (“INND”), which he traded from January 27, 2021 through February 19, 2021.

1123. On January 27, 2021, Gallagher purchased 1,000,000 shares of INND for \$0.0057 per share.

1124. Later that day, Gallagher tweeted: “Ok @[Twitter user] I'm in and love \$innd! I need some green today My streak of green in jeopardy !! Buy \$innd lets all get green!” and “\$innd im in!”

1125. Between January 27, 2021 and February 3, 2021, Gallagher tweeted seven buy touts for INND. For example, on February 2, 2021, Gallagher tweeted: “\$innds love it!” and “Great day all markets...\$innd up 40%...”; and, on Wednesday, February 3, 2021, Gallagher

tweeted: “Great market day! For all those that say @AlexDelarge6553 pumps and dumps can kiss my ass!...\$inn[d]”; and a buy tout list: “Thursday list...\$innd...”.

1126. On February 4, 2021, at about 9:45 a.m., Gallagher sold, undisclosed, 200,000 shares of INND, 20% of his holdings of INND, at \$0.019 per share.

1127. On February 4, 2021, at 12:24 p.m., Gallagher retweeted: “@[Twitter user] Thank You...@AlexDelarge6553 for \$ENZC & \$TSNP @Associate YY for \$AZFL @[Twitter user] for \$INND...”.

1128. Later that day, at about 12:36 p.m., Gallagher sold, undisclosed, 200,000 shares of INND, 25% of his holdings of INND, at \$0.0236 per share.

1129. Gallagher tweeted three more buy touts during the rest of the day on February 4, 2021. For example, at 7:25 p.m., Gallagher tweeted a buy tout list: “The cheap futures best over a penny! . . . \$innd . . .”.

1130. On Friday, February 5, 2021, at 9:37 a.m., Gallagher tweeted: “\$pdpr \$innd I love these two!!”

1131. On February 5, 2021, at 10:57 a.m., Gallagher sold, undisclosed, 100,000 shares of INND, approximately 17% of his holdings of INND, at \$0.0242 per share.

1132. On Monday, February 8, 2021, at 1:06 p.m., Gallagher sold, undisclosed, 100,000 shares of INND, 20% of his holdings of INND, at \$0.0514 per share.

1133. On February 9, 2021, at 9:52 a.m., Gallagher sold, undisclosed, 100,000 shares of INND, 25% of his holdings of INND, at prices from \$0.0798 per share to \$0.07995 per share.

1134. On February 9, 2021, after the market closed, Gallagher tweeted: “Zero stress! Hold long get rich stocks!...\$innd...Put 1K in all these you have a million in one year!”.

1135. On February 11, 2021, Gallagher sold, undisclosed, 100,000 shares of INND,

33% of his holdings of INND, at \$0.0685 per share.

1136. Between February 13, 2021 and February 17, 2021, Gallagher tweeted nine buy touts for INND, including: “Great own both!! \$srmx and \$innnd!”; and “\$innnd is great! And big things coming! Real soon!”; and, on February 17, “\$innnd own it love it!”

1137. On February 18, 2021, Gallagher tweeted: “\$innnd!”

1138. On February 19, 2021, at 8:50 a.m., Gallagher tweeted: “RT @[Twitter user]: No more bashing my stocks. Yes, NASDAQ approved [] \$INND...Yes, \$INND is my #1 play right now.” Gallagher is understood to have used the phrase “NASDAQ approved” to entice his followers and readers to buy INND shares on his representation that INND would uplist to Nasdaq. This was misleading; INND is currently still traded on OTC Link and had not released a corporate press release announcing that it was “Nasdaq approved”.

1139. On February 19, 2021, at about 1:25 p.m., Gallagher sold, undisclosed, his remaining 200,000 shares of INND at \$0.024 per share.

SCALPING OF INQD

1140. Gallagher made approximately \$36,300 in net profits by engaging in a scheme to scalp shares of Indoor Harvest Corp. (“INQD”), which he traded between May 22, 2020 and February 18, 2021.

1141. On May 22, 2020, Gallagher bought 2,000,000 shares of INQD for prices from \$0.0011 to \$0.0012 per share.

1142. On the evening of May 26, 2020, Gallagher tweeted a poll with three stocks asking his readers/followers to “Pick one buy tomorrow”. “\$inqd” won the poll with 38.7% of the votes.

1143. From the evening of May 26 through May 27, 2020, prior to the market opening,

Gallagher began tweeting touts for INQD. Over the course of this period alone, Gallagher sent at least twenty tweets touting INQD, including, pre-market opening: “Wednesday list! Hard to beat yesterday. A couple of upgrades! . . . \$inqd this cheapy has legs and leadership” and “\$inqd is still very cheap”. Gallagher also sent two DMs to a Twitter user: “inqd” and “i grabbed 2 mill of inqd on a reliable tip. been running well good weed buying running the show, its cheap give it a go”.

1144. On May 27, 2020, Gallagher profitably sold, undisclosed, into his buy touts 500,000 shares of INQD, approximately 25% of his holdings of INQD, at prices from \$0.0033 to \$0.0034 per share.

1145. On May 29, 2020, Gallagher sent a DM to a twitter user: “hey stim can you add me to inqd room. I was told you have this power”. This is understood to be Gallagher requesting to join a message board open by invitation only where Gallagher could promote INQD.

1146. On May 29, 2020, from 9:31 a.m. through 10:44 a.m., Gallagher bought 1,500,000 shares of INQD for prices between \$0.0042 and \$0.0075 per share.

1147. Between May 27, 2020 and August 12, 2020, Gallagher tweeted at least 100 touts of INQD. For instance, on August 10, Gallagher tweeted: “...Let’s review the must own list . . . \$inqd . . . I WISH I COULD FOLLOW MYSELF!!!”. On August 11, 2020, Gallagher tweeted a tout list with \$inqd. On the evening of Wednesday, August 12, 2020, Gallagher tweeted another tout list: “Thursday list!!! . . . \$inqd. . .”.

1148. On August 13, 2020, Gallagher sold, undisclosed, 1,000,000 shares of INQD, approximately 33% of his holdings of INQD, at \$0.0044 per share.

1149. On February 4, 2021, Gallagher tweeted four touts of INQD, including: “\$inqd!!

Never bailed!! Still holding my old two million shares!! I never sell bags I like”.

1150. Gallagher’s tweet was false, as he had already sold 1,500,000 of his 3,500,000 shares of INQD, and it created the false impression that he would not be selling his INQD shares in the near term (“I never sell bags I like”) and failed to disclose his intent to sell his shares. In fact, Gallagher sold all of his remaining INQD shares over February 2021.

1151. On February 5, 2021, Gallagher sold, undisclosed, 500,000 shares of INQD, approximately 25% of his holdings of INQD, at \$0.0149 per share.

1152. Between February 6 and February 7, 2021, he tweeted four INQD touts, including: “\$inqd check this out!” and “\$inqd love this as well!” and “\$inqd been long here”.

1153. On February 9, 2021, Gallagher sold, undisclosed, 300,000 shares of INQD, approximately 20% of his holdings of INQD, at \$0.0268 per share.

1154. After his sales on February 9, 2021, Gallagher tweeted another tout for INQD.

1155. On February 10, 2021, at approximately 10:17 a.m., Gallagher sold, undisclosed, 200,000 shares of INQD, approximately 17% of his holdings of INQD, at \$0.036 per share. Later that day, he tweeted: “\$INQD LONG AND STRONG HERE”, misleadingly suggesting that he was holding and not selling his shares of INQD, and the next day he touted, “\$inqd will be massive...”.

1156. On February 18, 2021, Gallagher sold, undisclosed, his remaining 1,000,000 shares of INQD at prices from \$0.018 to \$0.02 per share.

SCALPING OF IPWG

1157. Gallagher made approximately \$38,500 in net profits by engaging in a scheme to scalp shares of International Power Group Limited (“IPWG”), which he traded from February 5, 2021 to March 12, 2021.

1158. IPWG's common stock was quoted and traded on OTC Link. It is currently labeled with skull and crossbones, dark or defunct, and caveat emptor warnings.

1159. On February 5, 2021, at 10:44 a.m., Gallagher received a DM from an Associate X: "IPWG Last Troip POWER ENERGY Play! Get in Steve!"

1160. On February 5, 2021 at 10:47 a.m., Gallagher bought 20,000,000 shares of IPWG for \$0.0006 per share.

1161. At 11:27 a.m. on February 5, 2021, Gallagher sent a DM back to Associate X with a thank you note.

1162. At 12:20 p.m. on February 5, 2021, Gallagher bought 4,000,000 shares of IPWG for \$0.001 per share.

1163. Later on February 5, 2021, after he purchased his IPWG shares, Gallagher sent DMs to three Associates (Z, CC, and OO), and two other Twitter users, giving them advance notice of his forthcoming public alert: "TXTM IPWG NEXT WEEK"; and "ipwg Tuesday"; and "txtm ipwg next week both up huge today look for massive gains next week please don't share yet"; and "txtm ipwg will be massive next week get now"; and "txtm ipwg next week".

1164. On February 6, 2021, Gallagher sent DMs to two additional Associates (A and GGGG), and two other Twitter users, giving them advance notice of this forthcoming public alert: "ipwg is gonna be huge"; and "ipwg txtm ehos watch these blow up next week and weeks to come. join the ride"; and "TXTM IPWG MONDAY YOULL BE THERE FAST"; and "TXTM IPWG PUT 500 IN EACH"; and "txtm ipwg get those asap".

1165. On February 7, 2021, Gallagher sent a DM to another Twitter user giving him or her advance notice of his forthcoming public alert: "txtm ipwg get those asap".

1166. On February 8, 2021, Gallagher bought 2,000,000 shares of IPWG for \$0.0023

per share.

1167. On February 9, 2021 at 8:15 a.m., Gallagher sent a DM to Associate X. Gallagher wrote: “ok back in full effect ipwg 935 alert”. Gallagher’s reference to “935” is understood to mean that he plans to tweet his public Alert encouraging people to buy IPWG around 9:35 a.m. that morning. Associate X responded minutes later: “IPWG is a GOOD one for all those that Tweet for these! I'm Happy they Included me and shared yesterday~ WE Have an Incredible Dynamic and No One ever Steps on the Others Toes! I Love Sooah too (Stucky) as she battles Disease as I do and Our Time is short so want to do ALL we Can to Help others :) Head and Heart are ABSOLUTELY in the Right Place!”

1168. On February 9, 2021, at 8:37 a.m., Gallagher DM’d Associate LLLL, “IPWG WRFX TODAY”. The Associate responded: “bro im not kidding you i was looking at IPWG and got distracted by my wife and totally forgot about it. on my short list. Now i LOVE LOVE LOVE LOVE LOVE. im doing a vid on it.”

1169. On February 9, 2021, at 8:57 a.m., Gallagher DM’d Associate AA, “IPWG WRFX TODAY”.

1170. On February 9, 2021 between 9:17 a.m. and 9:29 a.m., Gallagher DM’d three Associates (Z, DD, and FF) the same message: “Bfch 345 alert ipwg 935 and noon wrfx”.

1171. On February 9, 2021 at 9:39 a.m., Gallagher tweeted his public Alert, “\$IPWG CHALLENGE ALERT!! I OWN AND LOVE THIS IMO THIS WILL RUN FOR DAYS!! ALERTING \$IPWG STRONG BUY IN MY OPINION!!” IPWG opened at a price \$0.003 per share on the morning of February 9, 2021.

1172. On February 9, 2021, between about 9:55 a.m. and 2:18 p.m., Gallagher sold, undisclosed, 10,000,000 shares of IPWG, approximately 38% of his holdings of IPWG, at prices

from \$0.0049 to \$0.0065 per share.

1173. On February 9, 2021, between 9:54 a.m. and 3:55 p.m., Gallagher tweeted seven additional buy touts for IPWG: “RT @AlexDelarge6553: \$IPWG CHALLENGE ALERT!! I OWN AND LOVE THIS IMO THIS WILL RUN FOR DAYS!! ALERTING \$IPWG STRONG BUY IN MY OPINION!!”; and “Trust me! \$ipwg is a great buy right now! IMO”; and “\$IPWG FOLLOW @[Associate “referring to the Associate who told Gallagher he would post a video touting IPWG. Gallagher attached a link to the video in his tweet and added: GREAT LISTEN I THINK HES RIGHT!!”; and “\$ipwg is a sick buy now! alert sellers that didnt sell smart!! grab these prices!”; and, “\$ipwg is a great buy for weeks!”; and “\$wrfx \$ipwg and my EOD alert you will want today! Alerts run for days! And will be High on my list! Look at \$clts \$txm \$pdpr alerts fire!!”; and “ALERT RECAP!! ALL UP AND ALL WILL GO UP! IN MY OPINION! \$WRFX \$IPWG \$BFCH THEY'RE GREAT!!”

1174. On February 9, 2021, after the market closed, Gallagher tweeted: “9 greens in a row! Not as good as yesterday or friday! But I'll live! Otc winners . . . \$nbri up 110% alerted \$bfch up 102% \$rggi up 102% past alert \$hqge up 88% \$Haon up 75% wink \$wrfx up 73% alerted \$ipwg up 53% alerted Alerts higher after alerted maintain green Hope you are green”.

1175. Gallagher's statement in his February 9, 2021 tweet: “\$ipwg up 53% alerted Alerts higher after alerted” is understood to be an admission by Gallagher that his February 9 tweet alerts caused IPWG's price per share to rise 53%.

1176. On February 9, 2021, Gallagher received a DM from a distraught Twitter user/investor, “alex, i added IPWG with you today im down about 20%, should i be worried?”

1177. The Twitter user/investor is understood to have been led to believe that Gallagher bought IPWG at the time of Gallagher's alert (while in reality, Gallagher sold at the time of his

alert).

1178. On Wednesday, February 10, 2021 at 6:50 a.m., Gallagher tweeted, “Wednesday hot stocks! . . . 10 for 10 green today! . . . 4 \$ipwg . . . Someone grade this end of day!”

1179. On February 10, 2021, between about 10:27 a.m. and 3:59 p.m., Gallagher sold, undisclosed, 4,591,737 shares of IPWG, approximately 29% of his holdings of IPWG, at prices from \$0.0042 per share to \$0.0045 per share.

1180. On February 10, 2021, at 1:44 p.m., Gallagher tweeted, in response to a Twitter user: “\$IPWG OF COURSE I OWN THIS! ALERTED YESTERDAY!”

1181. On February 11, 2021, at approximately 9:25 a.m., Gallagher bought 500,000 shares of IPWG for prices from \$0.0033 to \$0.0034 per share.

1182. On February 11, 2021, at approximately 10:10 a.m., Gallagher sold, undisclosed, 2,000,000 shares of IPWG, approximately 17% of his holdings of IPWG, at \$0.0031 per share.

1183. Later on February 11, 2021, Gallagher bought an additional 100,000 shares of IPWG for \$0.0027 per share.

1184. On February 11, 2021, Gallagher received DMs from three concerned readers/investors: “Sorry IPWG”; “Bro ipwg killing me”; “IPWG - your alert [] is doing bad, shall I hold on to it or buys more or sell is at loss?” Gallagher did not respond to their DMs.

1185. On February 11, 2021, at 5:16 p.m. Gallagher tweeted: “Get rich quick list! . . . 2 \$ipwg . . . You put 1k equals 20k total in these 20! Rich!”

1186. On February 12, 2021, Gallagher sold, undisclosed, 2,000,000 shares of IPWG, approximately 20% of his holdings of IPWG, at \$0.0021 per share.

1187. On February 12, 2021, Gallagher re-tweeted two Twitter users: “RT[retweet] . . . His alerts have been great for me. . . . \$IPWG to name a couple. . . .”.

1188. On February 13, 2021, Gallagher tweeted: “Some cheap otc's I own part 1 do some DD . . . 16 \$ipwg . . .”.

1189. On February 16, 2021, Gallagher tweeted: “i have over \$50k in each \$tsnp \$txtm \$ipwg”.

1190. On February 17, 2021, the same Twitter user/investor who DM'd Gallagher on February 9 2021, sent another DM to Gallagher: “IPWG - your alert [] is doing bad, shall I hold on to it or buys more or sell is at loss?” Gallagher again did not respond to the investor.

1191. On February 18, 2021, Gallagher re-tweeted a Twitter user: “\$IPWG huge bids in @AlexDelarge6553”.

1192. On February 19, 2021, Gallagher sold, undisclosed, 7,408,263 shares of IPWG, approximately 93% of his holdings of IPWG, at \$0.0015 per share.

1193. On February 24, 2021, Gallagher bought 10,000,000 shares of IPWG at \$0.0016 per share.

1194. On February 26, 2021, the Commission issued an order temporarily suspending trading in IPWG “because of questionable trading and social media activity”.

1195. On February 26, 2021, Gallagher received a DM from a Twitter user/investor: “What about ipwg now? Am i screwed”. Gallagher did not respond to the DM.

1196. On February 27, 2021, Gallagher received DMs from two Twitter users/investors: “I own 10M of shares of ipwg...im rockie on this and is all my money...im super scared about this. do you think ipwg is going to 0?”; and, “What was your DD when you suggested to people like me that we invest in IPWG?” Gallagher did not respond to either DM.

1197. On March 12, 2021, Gallagher sold 10,000,000 shares of IPWG at \$0.0004 per share.

SCALPING OF JADA

1198. Gallagher made approximately \$4,700 in net profits by engaging in a scheme to scalp shares of Jade Art Group, Inc., (“JADA”), which he traded between July 20, 2020 and January 13, 2021.

1199. On July 20, 2020, Gallagher bought 100,000 shares of JADA for prices from \$0.069 per share to \$0.07 per share.

1200. After his purchase, from July 20, 2020 through July 29, 2020, Gallagher tweeted over 30 touts for JADA. For example, on July 26, 2020, Gallagher tweeted two buy tout lists in which he recommended JADA. On Wednesday, July 29, 2020, Gallagher tweeted a buy tout list of “Thursday must owns” with “\$Jada” as his #1 pick. He called that list “5 for 5 green”.

1201. On July 30, 2020, Gallagher sold, undisclosed, 50,000 shares of JADA, 50% of his holdings of JADA, at a profitable price of \$0.142 per share.

1202. From July 30, 2020 through August 6, 2020, Gallagher tweeted at least 30 JADA buy touts. For instance, on August 2, 2020, Gallagher tweeted a buy tout list where he claimed “catalysts!” to include “\$Jada merger”.

1203. On Monday, August 3, 2020, Gallagher tweeted a buy tout “Tuesday list” that included \$jada.

1204. On August 7, 2020, Gallagher sold, undisclosed, 25,000 shares of JADA, 50% of his holdings in JADA, at \$0.14 per share.

1205. From August 13, 2020 through August 14, 2020, Gallagher again tweeted touts for JADA, including tweeting a rumor of a JADA merger. For instance, on August 13, 2020, Gallagher tweeted: “\$jada looking pretty!!” and, on August 14, 2020, before the market opened, he tweeted: “Two big merger plays today \$Jada . . . lets continue the massive gains . . . ”

1206. Hours after tweeting a rumor of a JADA merger on August 14, 2020, Gallagher sold, undisclosed, his remaining 25,000 shares of JADA, at \$0.285 per share.

1207. On September 14, 2020, Gallagher bought 100,000 shares of JADA for prices from \$0.13 per share to \$0.139 per share.

1208. On September 22, 2020, Gallagher tweeted: “I love \$jada”. On September 24, 2020, Gallagher tweeted a buy tout “Friday list!! Good stocks beat shorts!!” His tout list included “\$Jada clean gold”.

1209. On September 25, 2020, Gallagher sold, undisclosed, 20,000 shares of JADA, approximately 20% of his holdings of JADA, at \$0.159 per share.

1210. On September 26, 2020, Gallagher tweeted a buy tout list that included JADA. He headed the tout list with the phrase “Long for gold!!” On September 27, 2020, Gallagher retweeted this same tout list.

1211. On September 28, 2020, Gallagher sold, undisclosed, another 10,000 shares of JADA, approximately 12.5% of his holdings of JADA, at \$0.14 per share.

1212. On December 6, 2020, Gallagher tweeted a buy tout list of “Non list stocks I like! With dollars potential”. Gallagher’s #1 recommendation was JADA.

1213. On December 11, 2020, Gallagher sold, undisclosed, his remaining 70,000 shares of JADA, at prices from \$0.062 to \$0.068 per share.

1214. On December 22, 2021, Gallagher bought 30,000 shares of JADA for \$0.185 per share.

1215. On January 1, 2021, Gallagher tweeted a new tout list: “2021 OTC stocks that hit a Dollar”. The tout list included JADA. Gallagher’s statement “2021 OTC stocks that hit Dollar” is understood to be Gallagher telling his readers and followers to buy JADA (and the

other stocks on the list) because he predicts the price per share will rise to a dollar in 2021.

1216. On January 2, 2021, Gallagher retweeted a recommendation that investors “Drop 2K each into . . . \$JADA”. This is understood to be Gallagher recommending his readers and followers to buy \$2,000 worth of JADA shares.

1217. On January 13, 2021, Gallagher sold, undisclosed, his remaining 30,000 shares of JADA, at \$0.13 per share.

SCALPING OF LFER

1218. Gallagher made approximately \$15,800 in net profits by engaging in a scheme to scalp shares of Life on Earth, Inc. (“LFER”), which he traded from November 23, 2020 through February 17, 2021.

1219. On November 23, 2020, Gallagher sent a DM to Associate R: “lfer?” and “put some good stuu out there ill load and get lfer out tomorrow my alerts are fire today”.

1220. On November 23, 2020, Gallagher bought 270,000 shares of LFER for prices from \$0.03 to \$0.0321 per share.

1221. On November 23, 2020, Gallagher sent DMs to Associates C, J, CC and VVV – YYY: “lfer @ [twitter user] tip long play to 15 hes the best”.

1222. On November 23, 2020, Gallagher also sent a DM to Associate XXX: “Lfer im loading quiet ly”.

1223. Following the market close on November 23, 2020, Gallagher tweeted a tout list: “Ok!! Everyone play pick 3 green OTC stocks tomorrow!! Everyone!! . . . 3 \$Lfer (sleeper! Watch and be amazed!!” Gallagher also sent a DM to Associate J on the same day: “LFER MORE EARLY ME AND RADIO WORKING THIS”. The reference to “Me and Radio working this” is understood to be Gallagher telling Associate J that he and an Associate who uses

the Twitter handle Radiosilent (referred to herein as Associate R) were going to be toting LFER to increase the share price before dumping their shares.

1224. On November 24, 2020, Gallagher tweeted: “\$lfer will hit new highs!!!”; “\$lfer this is the DD that makes millionaires!!! . . . buy \$lfer. ill be adding dips”; and “\$lfer get ahead of the game!!!” Gallagher also DM’d Associate C, on the same day: “Lfer ive never slowly pumped befoee”.

1225. On November 25, 2020, Gallagher tweeted: “load cheap \$lfer bounce back coming shorts gone!! cheap merger news coming!!!” and “\$lfer get this for real money!!!”

1226. Shortly after sending out these tweets on November 25, 2020, however, Gallagher sold, undisclosed, 176,662 shares of LFER, approximately 65% of his holdings of LFER, at prices from \$0.064 to \$0.076 per share.

1227. On November 27, 2020, Gallagher tweeted: “\$Lfer up 11% premarket!! For all you late entry. Worriers \$Lfer will be great!!!” and “Fun day fun day \$tsnp \$enzc \$brtx \$cbbt \$Lfer . . . and the next big thing!!!”

1228. On November 30, 2020, Gallagher sold, undisclosed, his remaining 93,338 shares of LFER, at prices from \$0.034 to \$0.0345 per share.

1229. On December 31, 2020, Gallagher bought 219,270 shares of LFER for prices from \$0.0365 to \$0.04 per share.

1230. On January 3, 2021, Gallagher tweeted a tout list titled “Updated must own Monday” that included: “6 \$Lfer merger news” as well as “\$Lfer I been screaming with @ [twitter user] adding dips life changer stock”.

1231. On January 4, 2021, Gallagher sold, undisclosed, 119,270 shares of LFER, approximately 54% of his holdings of LFER, at \$0.075 per share.

1232. On Monday, January 4, 2021, following his sales of LFER, Gallagher tweeted: “Tuesday list!! These are longs people . . . 5 \$Lfer” and “\$oowuv \$lfer im in both!! I only makes sense”.

1233. On January 5, 2021, Gallagher sold, undisclosed, 33,159 shares of LFER, approximately 33% of his holdings of LFER, at \$0.085 per share.

1234. On January 6, 2021, Gallagher sold, undisclosed, 11,000 shares of LFER, approximately 16% of his holdings of LFER, at \$0.075 per share.

1235. On February 4, 2021, Gallagher tweeted a tout list of: “The cheap futures best over a penny!” that included “19 \$Lfer”.

1236. On February 17, 2021, Gallagher sold, undisclosed, his remaining 55,841 shares of LFER at \$0.0815 per share.

SCALPING OF LMFA

1237. Gallagher made approximately \$41,400 in net profits by engaging in a scheme to scalp shares of LM Funding America, Inc. (“LMFA”), which he traded from January 8, 2021 through January 29, 2021.

1238. On January 8, 2021, Gallagher bought 50,000 shares of LMFA for prices from \$1.515 to \$1.97 per share.

1239. On January 8, 2021, Gallagher sent a DM to Associate VV: “25K SHARES OF LMFA THANKS”. Gallagher also sent DMs to Associate R: “LMFA” and “LMFA GOES TO 10 BUCKS”.

1240. On Friday, January 8, 2021, following his purchases of LMFA shares, Gallagher tweeted: “Small-cap alert!! rarely do this!! @LMFA and I’m not laughing my ass off!! SPAC merger!! buy \$LMFA”. Gallagher also tweeted: “\$LMFA 19 min to buy this PM alert! This hits

\$8 bucks Monday!”

1241. On Sunday, January 10, 2021, Gallagher tweeted: “\$LMFA O!! Is a must-own small-cap This will hit \$10 This week! RETWEET gets a follow!!” and “\$LMFA GAINS in 6 hours! Much more to come! The word is out now!! Get in early.”

1242. On January 10, 2021, Gallagher sent a DM to a twitter user: “lmfa and vmnt low float moves easy with volume.”

1243. On Monday, January 11, 2021, Gallagher sold, undisclosed, 25,000 shares of LMFA, 50% of his holdings of LMFA, at prices from \$2.84 to \$2.89 per share.

1244. Following Gallagher’s sale of these shares on January 11, 2021, Gallagher tweeted: “\$LMFA CONTINUATION ALERT!! GREAT ENTRY PRICE PRE MARKET!! ...” Gallagher also tweeted at a Twitter user: “i’m holding free shares of \$LMFA ill hold a while i like what I see.”

1245. On January 12, 2021, Gallagher sold, undisclosed and contrary to his tweet the preceeding day that he would hold his LMFA shares “a while,” his remaining 25,000 shares of LMFA at prices from \$2.02 to \$2.05 per share.

1246. On January 28, 2021, Gallagher bought 20,000 shares of LMFA for prices from \$1.74 to \$1.75 per share.

1247. On January 28, 2021, Gallagher tweeted: “\$LMFA AH alert!!! You can buy now!!”

1248. On January 29, 2021, Gallagher sold, undisclosed, his remaining 20,000 shares of LMFA, at prices from \$2.06 per share to \$2.09 per share.

SCALPING OF MEDT

1249. Gallagher made approximately \$10,200 in net profits by engaging in a scheme to

scalp shares of MediaTechnics, Corp., (“MEDT”), which he traded from December 10, 2020 through March 19, 2021.

1250. On December 10, 2020, Gallagher bought 5,000,000 shares of MEDT at \$0.0007 per share.

1251. On December 11, 2020, Gallagher received a DM from Associate X: “MEDT maybe next week”. On December 12, 2020 and December 14, 2020, respectively, Gallagher DM’d Associate I: “medt . . loaded good” and “im loaded in medt”.

1252. On Monday, January 11, 2021, Gallagher bought another 10,000,000 shares of MEDT at \$0.0005 per share. At 5:31 p.m., that day, Gallagher tweeted a buy tout list of “Tuesday must owns” that included \$medt. The tweet also said: “Im long on all these add red days sell small portions on the rips and repeat!”

1253. On January 12, 2021, Associate RRR DM’d Gallagher: “Are we still pushing MEDT?” That same day, at 10:12 a.m., Gallagher tweeted a red alert: “\$MEDT We break trips!! Love his penny runner!!” (with the GIF “ALERT!!!!”).

1254. On January 13, 2021, Gallagher sold, undisclosed, 200,000 shares of MEDT, approximately 1% of his holdings of MEDT, at \$0.0005 per share.

1255. On February 2, 2021, Gallagher bought 5,000,000 shares of MEDT at a price of \$0.0009 per share.

1256. On February 4, 2021, Gallagher DM’d Associate X: “medt your alerting at open?” and “medt right? i dont wanna fuck it up”. Associate X answered: “MEDT is the 9:30 alert . . .”. Gallagher then sent a DM to Associate CCCC: “MEDT”.

1257. On February 4, 2021, Gallagher tweeted 7 touts for MEDT, including a red alert at the market open: “\$MEDT CHALLENGE ALERT!! (with the GIF “ALERT!!!!”). Following

this buy alert, Gallagher sold, undisclosed, 3,800,000 shares of MEDT, approximately 19% of his holdings of MEDT, at prices from \$0.0015 to \$0.0016 per share.

1258. At 5:35 p.m., on Thursday, February 4, 2021, Gallagher tweeted a buy tout list: “Friday green!!” that included \$medt.

1259. On February 4, 6, and 7, 2021, Gallagher tweeted and retweeted additional buy tout lists that included \$MEDT. The tout lists on February 4 and 7, 2021 listed \$medt as his number 1 buy recommendation (“Micro pennies best”).

1260. On February 9, 2021, Gallagher sold, undisclosed, 2,000,000 shares of MEDT, approximately 12% of his holdings of MEDT, at \$0.0012 per share.

1261. On February 11, 2021, Gallagher tweeted a tout list titled “Friday list!” that included MEDT. The list referred to the stocks, including MEDT, as “hot”.

1262. Gallagher did not disclose in his tweets that he had sold off approximately 6,000,000 shares of MEDT, or approximately 30% of his holdings, in the preceding few days.

1263. On February 11, 2021, Gallagher sold, undisclosed, 3,000,000 shares of MEDT, approximately 21% of his holdings of MEDT, at \$0.0018 per share .

1264. On February 18, 2021, Gallagher again tweeted a tout list that included MEDT: “Thursday list! Whats hot! . . . 19 \$medt”.

1265. On February 23, 2021, Gallagher sold, undisclosed, 2,000,000 shares of MEDT, approximately 18% of his holdings of MEDT, at prices from \$0.0018 to \$0.0035 per share.

1266. On February 26, 2021, a temporary suspension in trading was ordered by the Commission because of “questionable trading and social media activity”.

SCALPING OF NOHO

1267. Gallagher made approximately \$28,200 in net profits by engaging in a scheme to

scalp shares of Novation Holdings Inc., (“NOHO”), which he traded on February 23, 2021.

1268. On the evening of February 22, 2021, Gallagher sent a DM to Associate C: “you see \$noho lots of chatter”. Associate C responded: “Noho”.

1269. At 9:30 a.m. on February 23, 2021, Gallagher purchased 10,000,000 shares of NOHO for \$0.0011 per share.

1270. At 9:59 a.m. and 10:13 a.m. that same day, Gallagher tweeted, respectively: “Hey!! \$noho people my only new buy today!!” and “\$NOHO!”

1271. At 10:53 a.m. that same day, Gallagher sent a DM to Associate C: “noho wink coming i like it”. As described above, Gallagher used the term “wink” to spur his followrrs to buy a Target Stock.

1272. At 10:55 a.m. on February 23, 2021, Gallagher purchased another 10,000,000 shares of NOHO for \$0.0013 per share.

1273. As set forth below, on February 23, 2021, Gallagher sold, undisclosed, all 20,000,000 of his shares of NOHO at prices from \$0.0016 to \$0.0036 per share while tweeting multiple touts, including: “\$NOHO wink!! NEWS COMING!”; and “OTC combo pack!!! \$boty and \$noho s !!! here we go!! \$boty and \$noho s!! Love the otc!”; and “\$noho!!”; and, “Retweet @[Associate I]: weeeeeee on \$NOHO. This is what happens when there are no hos on a good play.”

1274. In the middle of the tweets and sales, Gallagher also sent a DM to Associate C: “well that noho worke well in at 11 20 million 6 mill left” and “seems prime for a suspension lol”. Associate C responded: “Yes don’t hold it”.

1275. At 11:09 a.m., Gallagher tweeted an alert: “\$NOHO Wink!!”

1276. At 11:16 a.m., Gallagher tweeted: “\$NOHO BOOM Back to .0015 . . .”.

1277. At 11:17 a.m., Gallagher sold, undisclosed, 1,000,000 shares of NOHO, 5% of his holdings in NOHO, at \$0.0016 per share.

1278. At 11:21 a.m., Gallagher retweeted another user's tweet: "This could be HUGE this year. CEO mentions 'miracle year' for 2021 \$NOHO".

1279. At 11:22 a.m., Gallagher sold, undisclosed, 1,000,000 shares of NOHO, approximately 5% of his holdings in NOHO, at \$0.0017 per share.

1280. At 11:26 a.m., Gallagher retweeted another user's tweet: "Loading \$NOHO – never ignore volume".

1281. At 11:33 a.m., Gallagher sold, undisclosed, 1,000,000 shares of NOHO, approximately 6% of his holdings in NOHO, at \$0.0018 per share.

1282. At 11:35 a.m., Gallagher tweeted: "OTC combo pack!!! \$boty and \$noho s !!! here we go!! \$boty and \$noho s!! Love the otc!!".

1283. At 11:39 a.m., Gallagher sold, undisclosed, 1,000,000 shares of NOHO, approximately 6% of his holdings in NOHO, at \$0.0019 per share.

1284. At 11:51 a.m., Gallagher retweeted: "\$NOHO is planning to change its buisness into crypto currency.".

1285. At 11:59 a.m., Gallagher tweeted: "\$noho!!"

1286. From 12:05 p.m. to 12:31 p.m., Gallagher sold, undisclosed, 9,000,000 shares of NOHO, approximately 56% of his holdings in NOHO, at prices from \$0.0020 per share to \$0.0029 per share.

1287. At 12:32 p.m., Gallagher retweeted: "I am adding 10 mil \$NOHO @ \$.0017. I can see us making a big move on company tweet saying they are going to Nasdaq".

1288. At 12:34 p.m., Gallagher retweeted: "\$NOHO".

1289. At 12:50 p.m., Gallagher re-tweeted Associate I's tweet: "weeeee on \$NOHO. This is what happens when there are no hos on a good play."

1290. From 12:46 p.m. to 2:19 p.m., Gallagher sold, undisclosed, his remaining 7,000,000 shares of NOHO at prices from \$0.003 per share to \$0.0036 per share.

1291. At 4:05 p.m., Gallagher tweeted: "Tough day! But the way I see it! Im up \$450K the last 5 hours of trading! . . . \$noho up 90% . . Slim pickings today! Some shady market stuff".

1292. Associate C sent a DM to Gallagher that evening: "Epic wink today"; "You're a new trademark"; "only winks now"; "I enjoyed the wink today. Maybe it should become a once daily think"; and "Instead of alerts :)". Gallagher responded: "I MADE AT LEAST 40K ON THAT" and, "WELL TILL NOHO GETS HALTED TOMORROW".

1293. A twitter user also sent a DM to Gallagher: "if NOHO is a scam would u alert? Or would that cause it to fall through the floor. Im sure you have relieved yourself of this problem. It's us little guys left with the bags . . .".

SCALPING OF NTLK

1294. Gallagher made approximately \$38,400 in net profits by engaging in a scheme to scalp shares of Net Talk.com Inc. ("NTLK"), from February 1, 2021 through February 19, 2021.

1295. On January 28, 2021, Associate WW sent a DM to Gallagher: "NTLK going... its gonna be pushed hard...".

1296. On February 1, 2021, Gallagher bought 1,200,000 shares of NTLK for prices from \$0.022 to \$0.031 per share.

1297. On February 1, 2021, in between his purchases of NTLK, Gallagher sent a DM to Associate WW: "grabbed a bunch and that ntlk" to which Associate WW responded: "yeah i

loaded NTLK and riding free now ...”.

1298. On February 1, 2021, also between his purchases of NTLK, Gallagher sent a DM to Associate Z: “ntlk long”.

1299. On February 1, 2021, following his purchases of NTLK, Gallagher tweeted: “\$NTLK I ADDED THIS TODAY! STILL DIGGING! LOOKS GREAT SO FAR!” and “All markets strong today! . . . \$NTLK UP 88% hint wink”.

1300. Early on February 2, 2021, Gallagher sent a DM to Associate A: “hey old buddy NTLK take a look. vmnt long run here. best of luck”.

1301. On February 2, 2021, Gallagher bought 500,000 shares of NTLK for prices from \$0.033 to \$0.039 per share.

1302. On February 2, 2021, Gallagher tweeted: “\$ntlk adding as well” and “\$NTLK This is gonna run for a long time!! I’m adding every red day. IMO do the same. A new addition to my must-own list.”

1303. On February 3, 2021, Gallagher tweeted: “buy \$ntlk” and “Hey!! everyone grab some \$NTLK today!”

1304. On February 5, 2021, Gallagher bought 300,000 shares of NTLK for \$0.0356 per share.

1305. On February 5, 2021, Gallagher tweeted: “\$NTLK!!! LOVE IT!” and “\$NTLK WINK!”

1306. However, on February 5, 2021, about 45 minutes after his NTLK buy orders executed, and shortly after Gallagher sent these tweets and others touting NTLK, Gallagher sold, undisclosed, 300,000 shares of NTLK, 15% of his holdings of NTLK, at prices from \$0.055 to \$0.056 per share.

1307. On February 6, 2021, Gallagher sent out a number of tweets touting NTLK, including: “Long holds! Buy these get rich simple! . . . 3 \$NTLK” and “\$NTLK!!! HOPE YOU GOT THE HINT!”

1308. On both February 7, 2021 and February 8, 2021, Gallagher tweeted tout lists that included NTLK.

1309. On February 9, 2021, Gallagher sold, undisclosed, 100,000 shares of NTLK, approximately 6% of his holdings of NTLK, at \$0.05 per share.

1310. On February 10, 2021, Gallagher sold, undisclosed, 332,950 shares of NTLK, approximately 21% of his holdings of NTLK, at prices from \$0.055 to \$0.064 per share.

1311. Following his sales of NTLK, on February 10, 2021, Gallagher tweeted a tout list that included “12 \$NTLK”.

1312. On February 11, 2021, Gallagher sold, undisclosed, 462,040 shares of NTLK, approximately 36% of his holdings of NTLK, at prices from \$0.08 to \$0.0899 per share.

1313. In between his sales of NTLK on February 11, 2021, Gallagher tweeted: “\$NTLK BABY!! LOVE THIS NEWS!” and “\$NTLK!!”

1314. On February 12, 2021, Gallagher bought 100,000 shares of NTLK at prices from \$0.0511 to \$0.052 per share. From February 16, 2021 through February 18, 2021, Gallagher bought another 186,582 shares of NTLK for prices from \$0.0388 to \$0.0549 per share.

1315. Seconds prior to his purchases of NTLK on February 18, 2021, Gallagher tweeted: “\$NTLK is a great dip buy right now! Ill join you”.

1316. On February 19, 2021, Gallagher received a DM from Associate C which read: “Ntlk :(”.

1317. On February 19, 2021, Gallagher sold, undisclosed, 1,091,592 shares of NTLK,

100% of his holdings in NTLK, at prices from \$0.0255 to \$0.031 per share.

1318. On February 26, 2021, the Commission ordered a temporary trading suspension of NTLK because of, among other things, “apparent social media attempts to artificially inflate” share prices.

SCALPING OF PHBI

1319. Gallagher made approximately \$31,700 in net profits by engaging in a scheme to scalp shares of Pharmagreen Biotech Inc. (“PHBI”), which he traded from February 1, 2021 through February 26, 2021.

1320. On February 1, 2021, Gallagher received a DM from Associate Z stating: “I think this stock would be an excellent one for us to accumulate. I’m aware of what’s going on with this company. I’m in touch with [Associate Z contact]. This could be a four bagger on an alert if we play it for a week and then put the alert out next week.” Gallagher responded on the same day: “phbi ill add”.

1321. On February 1, 2021, Gallagher bought 300,000 shares of PHBI for prices from \$0.019 to \$0.02 per share.

1322. On February 2, 2021, Associate Z, sent another DM to Gallagher: “One of them is that PHBI. I’m in touch with [Associate Z contact]. He emails me. I don’t want to rat him out but there’s potential there. We should accumulate before we put it out. I pickrd some up as you did yesterday . . .”.

1323. On February 3, 2021, Gallagher sent a DM to Associate Z: “i bought that phbi or what ever it was i wanna run that for ya”. Associate Z responded on the same day: “\$PHBI we should aim for .10 target . . . Let’s stay quiet on it, I won’t do anything until your filled.”

1324. On February 4, 2021, Gallagher sent out DMs to 13 Associates (Associates C, J,

Z, CC, FF and HH - OO) encouraging them to load up on PHBI, saying, for example: “phbi tomorrow alert . . . load big youll win”; “phbi and txtm load alot”; and “Phbi tomorrow if you want a runner play nice sell smart we will crush.i take pride in good alerts”.

1325. On February 4, 2021, while sending out these DMs to his Associates, Gallagher bought 900,000 shares of PHBI for prices from \$0.0228 to \$0.0249 per share.

1326. On February 5, 2021, Gallagher bought 100,000 shares of PHBI at prices from \$0.0249 to \$0.025 per share.

1327. After purchasing the 100,000 shares on February 5, 2021, Gallagher tweeted :“\$phbi!! I see this blowing up big!! Read do your DD IMO we have a real winner here . . . \$PHBI STRONG BUY ALERT!!!”. Shortly after this tweet, Gallagher additionally tweeted: “\$PHBI GOOD STUFF”.

1328. On February 5, 2021, shortly after touting PHBI, Gallagher, undisclosed, sold 800,000 shares of PHBI, approximately 61% of his holdings of PHBI, at prices from \$0.0384 to \$0.0592 per share.

1329. On February 5, 2021, while selling off his shares of PHBI, Gallagher tweeted: “\$phbi in case you missed”. Gallagher also sent a DM to Associate OO: “phbi did you load AM? tell me you did”.

1330. On February 5, 2021, while continuing to sell his PHBI shares, Gallagher tweeted: “\$phbi you like that alert?”

1331. On February 6, 2021, Gallagher tweeted: “\$phbi will be a long winner!” and a tout list stating: “Long holds! Buy these get rich simple! . . . 5 \$PHBI”. Gallagher also retweeted a tweet by another user: “Watch this video if you’re hesitating getting into \$PHBI you won’t be after . . .”.

1332. On Sunday, February 7, 2021, Gallagher tweeted a tout list that included “6 \$phbi”.

1333. On February 9, 2021, Gallagher sold, undisclosed, 200,000 shares of PHBI, 40% of his holdings of PHBI, at prices from \$0.071 to \$0.089 per share.

1334. Following these sales on February 9, 2021, Gallagher tweeted a tout list which stated: “Zero stress! Hold long get rich stocks! . . . 10 \$phbi”.

1335. On February 10, 2021, Gallagher sold, undisclosed, 5,700 shares of PHBI, approximately 2% of his holdings of PHBI, at \$0.0818 per share.

1336. On February 16, 2021, Gallagher retweeted a tweet by Associate Z: “Keep an eye on \$PHBI people. Undervalued #HEMP play with a very bright future. Great press release this morning.”

1337. On February 22, 2021, Gallagher tweeted: “\$PHBI IS GREAT!!”

1338. On February 26, 2021, Gallagher, sold, undisclosed, his remaining 294,300 shares of PHBI, at prices from \$0.03 to \$0.032 per share.

SCALPING OF PTTN

1339. Gallagher made approximately \$23,300 in net profits by engaging in a scheme to scalp shares of Pattern Energy Solutions Group. Inc. (“PTTN”), which he traded from December 21, 2020 through February 17, 2021.

1340. At about 12:45 p.m. on December 21, 2020, Gallagher received two DMs from Associate ZZZ: “PTTN ALERT!!!!!!!! PTTN ALEX dont stay behind!”

1341. A few minutes later, at about 1:09 p.m. on December 21, 2020, Gallagher bought 4,000,000 shares of PTTN for \$0.0013 per share.

1342. On December 21, 2020, less than a minute after his purchase of PTTN shares,

Gallagher tweeted: “\$pttn just at now! you may wanna do the same!” followed by “Glad @[twitter user] approves of \$pttn”

1343. From December 22, 2020 through January 2, 2021, Gallagher tweeted approximately 10 PTTN touts. For instance, on Thursday, December 31, 2020, Gallagher tweeted a buy tout list: “Monday list! . . . \$pttn . . . “; and, on Friday, January 1, 2021, Gallagher tweeted: “Cheap otc to hit a quarter in 2021 ... \$pttn ...RETWEET gets a follow!” On January 2, 2021, Gallagher re-tweeted: “PREDICTION TIME Which sees a \$.10 (dime) first? . . . \$PTTN”.

1344. On Sunday, January 3, 2021, Associate C sent a DM to Gallagher: “. . . pttn red bird”. Gallagher replied: “Pttn in big”.

1345. On Monday, January 4, 2021, Gallagher sold, undisclosed, 2,000,000 shares of PTTN, 50% of his holdings of PTTN, at \$0.0026 per share.

1346. On January 5, 2021, Gallagher tweeted: “Sub penny good stuff in order of what I think are the best.... 6 \$pttn ...Do your DD pick a few!”

1347. From January 11, 2021 through January 26, 2021, Gallagher tweeted approximately 11 PTTN touts. For instance, on January 25, 2021, Gallagher tweeted: “My best day ever! OTC is insaine . . . \$pttn +198%...All above past winks hints or alerts! Thank you all for playing! Post you gains ir charts Show the world if you buy and hold”. Gallagher is understood, in this tweet, to be taking credit through his tweets—winks and alerts—for having moved PTTN’s share price up \$198%.

1348. On January 25, 2021, Gallagher received a DM from Associate AAAA: “Doing DD on PTTN. Time to load up.”

1349. Early on January 26, 2021, Gallagher tweeted: “Cheap runners big gain potential

100%- 100000% ... \$pttn”

1350. A few hours later, on January 26, 2021, Gallagher sold, undisclosed, 1,000,000 shares of PTTN, 50% of his holdings of PTTN, at prices ranging from \$0.0155 to \$0.01595 per share.

1351. A few hours after his sale of PTTN on Tuesday, January 26, 2021, Gallagher tweeted: “17 green days in a row!! Thanks too...\$pttn up 83% past alert...All my alerts are long for me hope you all are green 152 great tickers” followed by “Wednesday list ... \$pttn ... Do your DD good stuff These I think run the highest % tomorrow”.

1352. On January 29, 2021, Gallagher sold, undisclosed, 300,000 shares of PTTN, 30% of his holdings of PTTN, at \$0.0098 per share.

1353. Less than an hour later, on January 29, 2021, Gallagher tweeted: “3 red days! Rare these days lots of shady market stuff happening but the good winners today ... \$pttn up 60% ... Hope you survived! Still up \$100k for the week”

1354. On January 31, 2021, Gallagher received a DM from Associate BBBB: “Side message. I don’t want you taking more heat for SCIE, but PTTN is a fake company. There is nothing on it being real. Unless you know something. Get out. They haven’t filed since 2014. Their CEO is a ghost and their HQ is the building attached”.

1355. Early in the morning the following day, at about 8:24 a.m. on February 1, 2021, Gallagher tweeted: “Hot cheap stocks this week! ... \$pttn...”.

1356. On February 13, 2021, Gallagher tweeted: “Some cheap otc's I own part 1 do some DD ... \$pttn”.

1357. On February 17, 2021, Gallagher sold, undisclosed, his remaining 700,000 shares of PTTN at \$0.0068 per share.

1358. On February 26, 2021, the Commission issued an order suspending trading in PTTN “because of questionable trading and social media activity”.

SCALPING OF SHOM

1359. Gallagher made approximately \$46,800 in net profits by engaging in a scheme to scalp shares of Southern Home Medical, Inc. (“SHOM”), which he traded from January 25, 2021 through February 18, 2021.

1360. On January 25, 2021, Gallagher received a DM from an Associate I: “I still think \$SHOM is a good play for this week”. Gallagher responded, “shom”.

1361. On January 25, 2021, Gallagher bought 10,000,000 shares of SHOM for prices from \$0.0013 to \$0.0015 per share.

1362. Gallagher then sent a DM to Associate C: “shom stuck said buy”. Associate C responded: “Shom ok”. Gallagher then sent a DM to Associate J: “shom buy and hold.”

1363. On January 25, 2021, Gallagher bought another 10,000,000 shares of SHOM for prices from \$0.0016 to \$0.0022 per share.

1364. On January 25, 2021, at 3:57 p.m., Gallagher sent another DM to Associate J: “SHOM BUY AND HOLD”.

1365. On January 25, 2021, Gallagher tweeted buy touts: “Cheap runners big gain potential 100% - 100000% 1 \$shom hint wink” and “Oh Shit!! We have a smart trader!! \$shom smart!!”

1366. On January 26, 2021, Gallagher bought 3,823,724 shares of SHOM at the market open for \$0.0029 per share.

1367. Over the course of the day on January 26, 2021, Gallagher sold, undisclosed, 3,521,232 shares of SHOM, approximately 15% of his holdings of SHOM, at prices from

\$0.0067 to \$0.0088 per share.

1368. Gallagher tweeted buy touts on January 26, 2021 while he was selling, undisclosed, his shares in SHOM: “\$SHOM I’M HEARING THE BEST CHATTER!!” and “UPDATE!! \$SPOM WEEK HAS BEEN CHANGED TO \$SHOM WEEK!! BREAKING NEWS!! STARTS NOW! ENDS AT 10 AT CENTS” and “\$SHOM HITS PENNY TODAY!!!”

1369. On Tuesday, January 26, 2021, Gallagher tweeted, “IM TELLING ALL OF TWITTER THIS!! \$SHOM WILL GO MUCH HIGHER!! OVER THE REST OF THIS WEEK!!” and “\$SHOM SELLERS ARE DUMB HOLD TIGHT PENNIES COMING AS PREDICTED!!” Gallagher also tweeted a buy recommendation tout list: “Wednesday list . . . \$shom”.

1370. On January 31, 2021, Gallagher tweeted: “\$shom updates coming soon! Holding long here”.

1371. On February 1, 2021, Gallagher tweeted: “\$shom!!” and “\$shom time!!”

1372. On February 1, 2021, Gallagher sold, undisclosed, 4,302,492 shares of SHOM, approximately 21% of his holdings of SHOM, at prices from \$0.0029 to \$0.003 per share.

1373. On February 2, Gallagher sold, undisclosed, another 2,010,000 shares of SHOM, approximately 13% of his holdings of SHOM at prices from \$0.0028 to \$0.0029 per share.

1374. Late on February 2, 2021, Gallagher tweeted a buy tout list that included “\$shom”.

1375. On February 5, 2021, Gallagher sold, undisclosed, 1,990,000 shares of SHOM, approximately 14% of his holding of SHOM, at \$0.0024 per share.

1376. On February 7, a twitter user tweeted to Gallagher: “Are still In \$shom?” to which Gallagher tweeted his reply: “Love \$shom”. In fact, however, and what Gallagher did not

disclose, was that he was actually continuing to sell his shares of SHOM.

1377. On February 9, 2021, Gallagher sold, undisclosed 5,000,000 shares of SHOM, approximately 42% of his holdings of SHOM, at prices from \$0.0033 to \$0.004 per share.

1378. On February 10, 2021, Gallagher sold, undisclosed, 2,000,000 shares of SHOM, approximately 29% of his holdings of SHOM, at \$0.0039 per share.

1379. On February 12, 2021, Gallagher sold, undisclosed, 3,510,406 shares of SHOM, approximately 70% of his holdings of SHOM, at prices from \$0.0030 to \$0.0031 per share.

1380. On February 13, 2021, Gallagher tweeted a buy recommendation tout list: “Part 3 cheap otc’s . . . 13 \$shom”.

1381. On February 17, 2021, Gallagher sold, undisclosed, 1,413,523 shares of SHOM, approximately 95% of his holdings of SHOM, at \$0.0027 per share.

1382. On February 18, 2021, Gallagher sold, undisclosed, his remaining 76,071 shares of SHOM at \$0.0023 per share.

SCALPING OF SPOM

1383. Gallagher made approximately \$197,500 in net profits by engaging in a scheme to scalp shares of SPO Global Inc., (“SPOM”), from February 18, 2020 through February 24, 2021.

1384. During the relevant time period, Gallagher executed hundreds of trades in SPOM. Gallagher sent his readers and followers buy recommendations in tweets and DMs which, undisclosed, he sold into. Below are examples of Gallagher’s scalping of SPOM.

1385. From February 18, 2020 to April 28, 2020, Gallagher purchased 1,822,500 shares of SPOM.

1386. In the midst of buying these millions of shares of SPOM, on March 10, 2020, Gallagher tweeted to a Twitter user: “Hasn’t been that long. They just merged we can be a little

patient on this one. \$spom don't worry it will soar!" About three hours later, Gallagher sold, undisclosed, 10,000 shares of SPOM, approximately 1% of his holdings of SPOM at that time, at prices from \$0.145 to \$0.146 per share.

1387. As detailed below, from May 6, 2020 to May 14, 2020, Gallagher sold, undisclosed, 820,500 shares of SPOM, approximately 45% of his holdings of SPOM, while tweeting hundreds of SPOM touts. Many of these tweets were directed to specific readers and followers. Each sale was preceded by touts to buy SPOM.

1388. For example, on May 5, 2020: Gallagher tweeted: "\$spom just a thought if we tweet enough. \$spom will trend! you think that would get attention? just a thought!"; "hope your loaded up so i can be proud of you! \$spom"; and "all ya gotta do is hold! and \$spom will happen". On May 6, 2020, he tweeted: "buy more \$spom thats my campaign"; and "@[Twitter user]" smart man tell your friends helps us all get richer! \$spom higher and higher; and "All my twitter friends im sure your sick of me talking about \$spom but are you sick of money? up close to 100% in two days. and its going much further!"; and, "@[twitter user] @[twitter user] Hey rookie you might wanna jump in \$spom the water is nice, thank me later!"; and "@[twitter user] lovin today \$spom ive been pitching for a while hope your in. best otc stock"; and "@[twitter user] Love it. hope i was the reason you bought been hyping the shit out f this winner. \$spom to see its real value though".

1389. On May 6, 2020, the very day Gallagher sold, undisclosed, 55,000 shares of SPOM, approximately 3% of his holdings of SPOM, at prices from \$0.153 to \$0.174 per share, he specifically—and falsely—tweeted to his readers and followers that he wasn't selling: "@ I'm not selling this thing isn't stopping up list soon, jump in tomorrow it got peoples attention today. go \$spom easily going over a buck".

1390. When Gallagher was selling his SPOM shares on May 6, 2020, he both urged his readers and followers to buy SPOM and to hold (not sell) their shares. For example, on May 6, 2020, after the market closed, Gallagher tweeted: “No bullshit buy \$spom tomorrow if possible it isnt stopping. 80 more buyers my poll alone. What does that tell ya. Of course no all will buy but many will including me!”; and “\$spom holders and buyers due to limited shares it is crucial that you hold to drive this thing to the moon. Spread the word buy and hold and we all get rich!”

1391. On May 7, 2020, despite having tweeted the prior evening for his readers and followers to buy and —hold— SPOM, as soon as the market opened Gallagher began selling, undisclosed, 47,500 shares of SPOM, approximately 3% of his holdings of SPOM, at prices from \$0.22 to \$0.275 per share.

1392. Gallagher also sent DMs to followers directing them to buy SPOM while, undisclosed, Gallagher was selling. For example, on May 7, 2020, Gallagher sent a DM: “open a tdameritrade account fund it, hit buy the type spom and be rich”; and, on May 8, 2020, he sent DMs: “well if you like money buy all you can spom is real and only just starting” and “spom hdii sbes buy in that order”.

1393. On the afternoon of May 7, 2020, Gallagher also bought 12,500 shares of SPOM for prices from \$0.2498 to \$0.26 per share.

1394. On May 8, 2020, Gallagher falsely tweeted that he would not sell SPOM: “I’m not a day flipper won’t sell a share before finacials come out. That’s the payday this is just the fun started this week at 8 cents this has been a great week. \$spom a finacials will set the market!”

1395. Gallagher portrayed himself as a caring and knowledgeable person who would provide sound advice to investors, such as in his May 10, 2020 tweet: “Investors talk to me. Anyone interested in \$spom. This week you wanna get it. Friday profit takers giving us cheap

share for Monday up over 100% last week. I believe 500% this week.”

1396. On May 11, 2020, Gallagher sold, undisclosed, 90,000 shares of SPOM, approximately 5% of his holdings of SPOM, at prices from \$0.195 to \$0.212 per share.

1397. On May 11, 2020, after his sale of SPOM shares, Gallagher tweeted: “I must confess I sold 300k shares of \$spom but I had good reason. I wanted to be able to say that \$spom bought me this. 2020 Escalade. Thanks for being a amazing stock!”

1398. However, that tweet did not disclose that Gallagher was selling SPOM shares while he was urging his readers and followers to buy SPOM — only that at some point in the past he had sold. The tweet implicitly encouraged investors to buy SPOM as a means of becoming rich; indeed, Gallagher tweeted to a Twitter user: “@[twitter user] you'll be able to get yourself one [an Escalade] soon go \$spom”.

1399. On May 12, 2020, Gallagher tweeted: “No selling for me today. I’m done shopping. Now we make real money\$ \$spom”.

1400. On Wednesday, May 13, 2020, at about 1:29 a.m., Gallagher tweeted a buy tout list: “Yay Wednesday before the storm!! 1) \$spom only the best! . . . ”.

1401. On May 13, 2020, in the afternoon, Gallagher sold, undisclosed, 207,500 shares of SPOM, approximately 13% of his holdings of SPOM, at prices from \$0.215 to \$0.36 per share.

1402. On May 14, 2020, before the market opened, Gallagher tweeted multiple SPOM touts, including a buy tout list with \$spom as his #1 pick and the tweet: “\$spom volume today will be over 10 million! DON’T FUCKING SELL!!”

1403. On May 14, 2020, Gallagher sold, undisclosed, 420,500 shares of SPOM, approximately 30% of his holdings of SPOM, at prices from \$0.21 to \$0.4175 per share.

1404. On May 15, 2020, Gallagher bought 400,000 shares of SPOM for prices from \$0.1899 per share to \$0.27 per share.

1405. On May 19, 2020, Gallagher tweeted about 75 SPOM touts, such as: “im buying this go \$spom thanks for sharing” and “...get in early we have crushed the morning bid every day \$spom gold”.

1406. The same day, Gallagher also sent buy SPOM DMs to followers such as “get in spom and ditch losers this is for real” and “Spom will run strong tomorrow. How can anyone sell before the closing bell. Most fins are delivered at night. Good luck dint get burned IMO spom is as good as it gets with huge upside. G9od luck I hope that helps.”

1407. On May 19, 2020, Gallagher sold, undisclosed, 262,674 shares of SPOM, approximately 19% of his holdings of SPOM, at prices from \$.485 to \$0.6301 per share.

1408. On May 20, 2020, Gallagher tweeted about 75 SPOM touts such as: “smart guy buy \$spom” and “ITS 30 DAYS! add all month they have alot to do clearly ill be buying \$spom”.

1409. On May 20, 2020, Gallagher sold, undisclosed, 50,600 shares of SPOM, approximately 4% of his holdings of SPOM, at prices from \$0.492 to \$0.547 per share.

1410. From May 20, 2020 through August 3, 2020, Gallagher engaged in numerous buys and sales of SPOM shares. The net effect of these transactions was to increase his holdings of SPOM shares from 1,091,226 on May 20, 2020 to 1,648,113 shares on August 4, 2020.

1411. During this period, Gallagher sent numerous touts promoting SPOM. Moreover, all of his sales of SPOM during this period were preceded by touts encouraging his readers and followers to buy SPOM stock.

1412. While many of the above sales constituted relatively small percentages of

Gallagher's holdings (from less than 1% to 2-4%). they allowed Gallagher to take advantage of any profits generated by the difference between the price he purchased SPOM shares for and the price rise after his touts of SPOM.

1413. On June 1, 2020, Gallagher tweeted approximately 40 SPOM touts, including: "\$spom reminder \$spom always closes strong get it now. . . . I cant scream this loud enough!" and "I hope we all learn to buy end of day so you don't fight the morning bids. Get in early and watch them fight for your shares \$spom . . .". Gallagher's instruction to his readers and followers to "buy end of day" is understood to be an attempt to "mark the close" at a higher price to make it appear that there is real interest in the stock.

1414. On June 2, 2020, Gallagher sold, undisclosed, 10,000 shares of SPOM at prices from \$0.28 to \$0.29 per share.

1415. On June 2, 2020, Gallagher tweeted about 35 SPOM touts including: "must buys now . . . \$spom . . . these will rebound huge dont wait for the AM and pay more when you see the movement history repeats".

1416. On June 2, 2020, Gallagher also sent twenty-two DMs his twitter followers to tout and direct them to buy SPOM, such as: "buy spom best otc stock in 3 week you will be a rich man. thank Me later"; and, "well it got dumped on you. hold and you'll be ok. don't sell., find new funds and buy spom".

1417. On June 3, 2020, Gallagher tweeted about 67 SPOM touts, including many where he portrayed himself as offering investment advice and knowledge: "Hey twitter traders many have contacted me about not being able to trade otc stocks like \$spom \$tlss \$axxa ect. If your still interest DM me and i can get you a quick and easy link for fast sign up. thanks. just trying to help"; and, "alot of newbies asking about \$spom sence we have had 40 days of complicated

massive amounts of accounting because this is how massive it is read 1 of 3 buy \$spo [link attached]”.

1418. On June 3, 2020, Gallagher also sent multiple DMs to followers touting SPOM, such as: “spom and axxa loaded on both adding spom every day the 52 week high run starts today”; and “give me your name and email ill send the free link you need to buy spom”.

1419. On June 4, 2020, Gallagher sold, undisclosed, 12,500 shares of SPOM at prices from \$0.286 to \$0.2928 per share.

1420. On June 4, 2020, Gallagher tweeted about 68 SPOM touts, including: “\$spom cash game. Playing for \$spom shares up 200k shares 2 seats open who inn?”; and “The Dramatic Rise of SPO Global Inc (OTCMKTS:SPOM) WAKE UP BUY \$SPOM”.

1421. On June 5, 2020, Gallagher sold, undisclosed, 20,000 shares of SPOM, at prices from \$0.335 to \$0.345 per share.

1422. Between June 6 and June 7, 2020, Gallagher tweeted approximately 130 SPOM touts, most directed to specific twitter users (but publicly visible as tweets). For instance, on June 7, 2020, Gallagher tweeted: “@[twitter user] Charlie buy \$spom and enjoy life. It's a whole different league.”

1423. On June 8, 2020, Gallagher sold, undisclosed, 15,000 shares of SPOM at prices from \$0.4021 to \$0.4022 per share.

1424. On June 10, 2020 at 8:33 a.m., Gallagher tweeted: “\$spom in 30s a must buy. Watch what \$spom does Friday its a must own going into the last weekend before earnings. Its a fact that when earning are monsterious they release early. I see them coming Friday at 230 pm or Sunday 230 pm eastern time. Those are the times of last PRs!” On June 10, 2020, at about 10:55 a.m., Gallagher sold, undisclosed, 7,500 shares of SPOM at prices from \$0.03701 to \$0.3702 per

share.

1425. On June 10, 2020, at about 11:30 a.m., Gallagher tweeted: “Go with the numbers \$spom will soar Friday must have for the weekend!”

1426. On June 10, 2020, from about 11:53 a.m. to noon, Gallagher sold, undisclosed, another 7,500 shares of SPOM at prices from \$0.3801 to \$0.363 per share.

1427. On Thursday, June 11, 2020, Gallagher tweeted: “Friday list is all you need. And you’ll see why 1\$spom . . . This is all you need. Please speak up if your not holding \$spom. . . .”.

1428. On June 12, 2020, Gallagher sold, undisclosed, 4,600 shares of SPOM at \$0.37 per share.

1429. On June 15, 2020, at about 8:13 a.m. Gallagher tweeted: “Monday must owns recap 1 \$spom . . . \$spom week starts . . .”.

1430. On June 15, 2020, at about 12:07 p.m., Gallagher sold, undisclosed, 5,000 shares of SPOM at prices from \$0.3850 to \$0.3875 per share.

1431. On June 15, 2020, at 1:14 p.m., Gallagher tweeted: “not worried at all on \$spom the unavailing is so soon, people are scared not me!” On June 15, 2020, at about 3:47 p.m., Gallagher sold, undisclosed, 1,600 shares of SPOM at \$0.39 per share.

1432. On June 15, 2020, at about 5:53 p.m., Gallagher tweeted: “Ok new day Tuesday. Only the big boys plays! 1 \$spom . . . time is running out. . . .”.

1433. On June 16, 2020, from about 3:18 p.m. to 3:40 p.m., Gallagher sold, undisclosed, 30,000 shares of SPOM, at prices from \$0.3060 to \$0.3124 per share. At about 3:44 p.m. Gallagher tweeted “\$spom strong buddy”. At about 3:49 p.m., Gallagher sold, undisclosed, another 7,500 shares of SPOM at \$0.3079 per share.

1434. On June 16, 2020, at about 9:40 p.m., Gallagher tweeted: “Going with big 2 tomorrow you all know what I hold. The bigs must haves for the week and month are 1 \$spom . . . Earnings will propel all these to greatness . . .”.

1435. On June 17, 2020, from about 9:43 a.m. to 10:27 a.m., Gallagher sold, undisclosed, 30,200 shares of SPOM at prices from \$0.3500 to \$0.3550 per share. At 10:35 a.m., Gallagher tweeted: “Sell your garbage and buy . . . \$spom they ill all be up much over the next many days.”

1436. On June 17, 2020, at about 3:07 p.m., Gallagher tweeted: “Just a reminder these stocks will be much more in the AM . . . \$spom . . . buy EOD instead of AM just saying. you see the morning rush this is \$spom week 2 days left!”.

1437. On June 18, 2020, at about 11:36 a.m., Gallagher sold, undisclosed, 8,000 shares of SPOM at \$0.2901 per share. At about 12:01 p.m. Gallagher tweeted: “yes i am baffle on \$spom? speechless actually. makes no sense to me! but holding for earnings regardless! that why i bought 5+ months ago. Go \$spom cheap levels before earnings. are people that scared? my only thoughts!”

1438. On June 18, 2020, from about 2:02 p.m. to 2:25 p.m., Gallagher sold, undisclosed, 120,826 shares of SPOM, approximately 8% of his holdings of SPOM, at prices from \$0.2900 to \$0.30.

1439. While Gallagher was selling these SPOM shares he received a DM from a twitter user: “Hey Alex! I still have much to learn but I[]ve been on the spom band wagon. Can you explain why the price is getting lower? Im being patient cause it seems the uptrend is coming soon? Thanks again for insight. Iâ[]m an avid follower lol”.

1440. On Tuesday, July 14, 2020, at about 6:52 p.m. Gallagher tweeted a buy tout list:

“Wednesday! Comeback list! . . . \$spom!” On July 15, 2020, in the late morning, Gallagher bought 124,000 shares of SPOM.

1441. On July 15, 2020, at about 10:52 a.m., Gallagher tweeted a SPOM buy alert: “Alert buy \$spom”. At about 1:36 p.m., Gallagher tweeted: “I say this everyday! you will want these \$spom share before EOD most buyers work and will see the news and buy in the AM. buy \$spom before EOD! ok im done saying \$spom till after market! maybe!”

1442. On July 15, 2020, from 2:53 p.m. to 2:54 p.m., after having directed his readers and followers to buy EOD, Gallagher sold, undisclosed, 100,000 shares of SPOM, approximately 7% of his holdings of SPOM, at prices from \$0.1650 to \$0.1672 per share.

1443. On July 15, 2020, at 2:56 p.m., after these sell orders had all executed, Gallagher tweeted: “oh shit I hit sell at 16 cents that was a \$spom mistake” and minutes later: “Ok 105k buy order at 16 cents I really hope this fills \$spom.” Gallagher, in fact, never entered a subsequent order to buy 105,000 shares of SPOM. Gallagher’s after-the-fact disclosure of his sale—and characterization of it as a mistake—is understood as an attempt to mislead his readers and followers who may have seen his sale hit the tape.

1444. On July 15, 2020, at about 11:22 p.m., Gallagher sent a DM to Associate ZZ: “We need ya back on the spom team get your boys back together. open a room an let get this shit rolling again I'm working my ass off! i know your heart is still in it! under 20 cents. get back in!”. This is understood to be Gallagher asking an Associate to open a social media chat room and to work with others to promote SPOM to entice investors to buy SPOM. Minutes later, Gallagher tweeted a buy “Alert” for SPOM.

1445. From July 23, 2020 to August 3, 2020, Gallagher bought 252,700 shares of SPOM for prices from \$0.1497 to \$0.17 per share. It is understood that Gallagher made these

purchases, despite his already large holdings of SPOM shares, to create the appearance of a market interest in SPOM, and to load up on SPOM shares before the next effort to push SPOM's price higher through touts.

1446. From July 16, 2020 to August 4, 2020, Gallagher tweeted approximately 350 SPOM touts.

1447. On Tuesday August 4, 2020, at about 6:53 p.m. Gallagher tweeted a buy tout list: Wednesday list! . . . \$spom . . .”.

1448. On August 5, 2020 at about 9:59 a.m., Gallagher tweeted: “\$spom was 11 cents 2 weeks ago! Buy \$spom. I’m just trying got make every twitter trader rich! Get rich buy \$spom.”.

1449. On August 5, 2020, from 2:17 p.m. to 2:18 p.m., Gallagher sold, undisclosed, 22,000 shares of SPOM at prices from \$0.2450 to \$0.2460 per share.

1450. On August 5, 2020, about 2:19 p.m., Gallagher tweeted: “\$spom will open over 30 cents in the AM”.

1451. At about 2:21 p.m., Gallagher sold, undisclosed, 12,000 shares of SPOM at prices from \$0.2420 and \$0.2450.

1452. At about 2:27 p.m., Gallagher tweeted: “3rd qtr \$spom weeks two weeks!”

1453. Almost simultaneously, Gallagher sold, undisclosed, 14,000 shares of SPOM at \$0.2420 per share.

1454. On August 5, 2020, at about 3:09 p.m., Gallagher tweeted: “im gonna say this 5 more times put your profits in \$spom! before EOD its gonna be very busy. \$spom is now hitting scanners!”

1455. Gallagher’s undisclosed sales of 48,000 SPOM shares on August 5, 2020, were

3% of his holdings of SPOM.

1456. On August 6, 2020, at 12:05 p.m. and 12:22 p.m., Gallagher sent two DMs to twitter users: “its spom week that the only play”; and “all about spom loading day”.

1457. On August 6, 2020, Gallagher sold, undisclosed, 40,000 shares of SPOM, approximately 3% of his holdings of SPOM, from 12:34 p.m. to 3:29 p.m., at prices from \$0.2656 to \$0.2808 per share.

1458. On Thursday, August 6, 2020, at 4:55 p.m., Gallagher tweeted a buy tout list: “Friday list the easiest list ive ever had to do! 1 \$spom must own over week Monday line will be long!!! The best OTC stock! . . .”.

1459. On August 7, 2020, Gallagher sold, undisclosed, 12,499 shares of SPOM at prices from \$0.2950 and \$0.2990 per share.

1460. On August 7, 2020, at about 1:20 p.m., Gallagher tweeted: “\$SPOM ERS EOD I HAVE 3 PEOPLE SO FAR HITTING THE ASK A PENNY HIGHER AT 355 TODAY! JOIN US IN THIS! WHAT EVER THE ASK IS ADD A PENNY AND ITLL END ON A HIGH NOTE! AND REPEAT EVERY DAY EVEN IF ONLY A FEW HUNDRED SHARES! WHOS WITH ME?” This is understood to be Gallagher coordinating “marking the close” of SPOM over an extended period of time (“REPEAT EVERY DAY”) which would allow Gallagher to benefit from a higher price per share while scalping SPOM.

1461. On August 7, 2020, Gallagher placed an EOD order at 3:55 p.m. and bought 10,000 shares of SPOM for \$0.2999 per share.

1462. On the early morning of Sunday, August 9, 2020, Gallagher sent at least 16 DMs to Associate VV (with whom Gallagher also coordinated scalping LMFA) explaining how he manipulated SPOM and would agree use his profits from SPOM in another coordinated

manipulation with the Associate. Gallagher wrote: “BIG SPOM PROFITS GOING INTO VMNT . . . MINE”. Associate VV responded: “Alex if you do that brother!!! i will hold till you tell me.... easy \$1 dollar... you will give me the courage brother!!! lets do it.... float is only 8.4 million!!! LETS GO BRRR\$\$\$\$\$\$\$\$\$. . .we can stop pushing it... so we may have a small pullback... . . . I'll make sure not to out BID you... . . \$60K ready to go together... with you... ALL VMNT [link attached]”.

1463. Gallagher responded: “waiting till spom profits in hand, giving you my plan thursays the way i see it, that's why off my list lol . . . get your 30 cent spoms pull at 50s and roll this shit. I've done it 4mes . . . sorry vmnt room. i have a spom army here”.

1464. Gallagher’s instruction to his Associate “get your 30 cent spoms pull at 50s and roll this shit” is understood to be Gallagher instructing him to buy SPOM shares at \$0.30 cents per share and that they would coordinate scalping those shares when SPOM’s share price reached above \$0.50 cents per share.

1465. Gallagher’s statement “I’ve done it 4mes” is understood to be an admission by Gallagher that ,on at least four occasions, Gallagher intentionally manipulated SPOMs price per share and took profits by scalping those shares (“roll this shit”).

1466. Gallagher’s reference to his spom army (“I have a spom army here”) is understood to be Gallagher’s admission that he is leading the manipulation of SPOM and has behind him an “army” of victims who he is manipulating via hundreds of direct messages and tweets, as well as Associates who are helping him try to push SPOM’s price up.

1467. Gallagher then sent DMs to Associate VV: “spom drunk\ . . . seriously get in help promote make 100% and run . . . could use ya for a week”.

1468. Gallagher’s statement “get in help promote make 100%” is understood to be

Gallagher's admission that, based on his prior experience promoting SPOM through tweets and DMs, he is confident they can manipulate SPOM's price per share and double their money ("make 100%").

1469. Associate VV then DM'd: "You got it!! I'll put VMNT on hold and eat the pullback... just make sure to sell SPOM before the filing... drops". Gallagher answered in a DM: "you know spom hits 60s this spom group could hit 90 cents".

1470. Gallagher's reference to "this spom group" is understood to refer to Gallagher and his Associates.

1471. Gallagher's reference to "could hit 90 cents" is understood to mean that Gallagher believed that through coordinated manipulation they could move SPOM's price per share from its prior adjusted close near \$0.299 per share to, potentially, \$0.90 cents per share.

1472. Associate VV then told Gallagher in a DM: "I'll contact my IHUB friends and hit 30 boards for SPOM". Gallagher answered by DM: "the hype is sick". The Associate's reference to "IHUB friends and hit 30 boards for SPOM" is understood to mean that the Associate, working on behalf of Gallagher, would direct social media and 30 message board contacts to promote SPOM for the purpose of manipulating SPOM's share price. Gallagher's reference to "hype" is understood to mean that, contrary to Gallagher's hundreds of tweets and DMs to his readers and followers directing them to buy SPOM shares because he believed in the substance of the company, Gallagher, in fact, knew that his tweets and DMs were mere "hype" designed to serve his manipulative purposes.

1473. Associate VV then DM'd Gallagher: "Cool... the following week we gotta push VMNT . . . SPOM #1 this week... I want you to profit good...". Gallagher answered by DM: "i gotta ditch a mill shares got over my head i wanna hold 500k spom shares".

1474. Gallagher's DM exchange is understood to mean that Gallagher planned to sell, undisclosed, a million shares of SPOM ("a mill") while coordinating a social media "hype" campaign to manipulate ("push") SPOM's share price.

1475. Associate VV then sent the following DM to Gallagher: "I'll be on it and I'll get [Associate OO] to push it... . . . Cool". Gallagher answered: "this works". Associate OO had previously coordinated a manipulation with Gallagher in PHBI; Gallagher is understood to mean by "this works" that he intentionally wants his other Associate OO to also work to manipulate ("push") SPOM's share price.

1476. On August 9, 2020, at about 1:54 a.m., Gallagher responded to Associate VV by DM: "its insaine when i tell my followers to buy they do".

1477. Associate VV again agreed: "...I'll push SPOM like a mad man . . .". Gallagher responded: "my followers are new. been luck and hot thanks to you and others"

1478. On August 9, 2020, Gallagher told Associate VV in a DM: "help the spom ill put 100k into pushing vmnt ask next week i have 1 mill spom shares gone".

1479. On August 9, 2020, at about 1:58 a.m., Gallagher then DM'd Associate VV: "spom week is a thing thats all people talk about so funnt" . . . "i coined the dumb shit lol". Gallagher's reference to "spom week" is understood to be the subject of tweets and DMs Gallagher has sent and planned to send to his readers and followers to induce them to buy SPOM shares with the objective of raising SPOM's share price.

1480. Gallagher's statement: "I coined the dumb shit lol" is understood to mean that Gallagher intentionally created the phrase "spom week" to induce his followers and readers to buy SPOM and knew that his representations to them about the significance of "spom week" were false, misleading, and/or reckless.

1481. Gallagher then asked Associate VV by DM: “honestly do you own any spom now”. Associate VV responded by DM: “No I don't . . . But I'll buy some just to create the momo and post it on twitter”.

1482. This is understood to be Associate VV telling Gallagher that he would buy shares of SPOM to increase trading volume (“create the momo”). Increased trading volume is understood to potentially attract more buyers into the market place, leading to an increase in a stock’s share price. “Post it on twitter” is understood to be Associate VV telling Gallagher that he would use Twitter as a means of manipulation by social media posts.

1483. Gallagher then asked Associate VV by DM: “are you famuliar wite week of earnings run?” Associate VV responded by DM: “No I'm not but I'm sure the buzz will be there”. Gallagher’s reference to “earnings run” is understood to refer to the week corporate earnings are released which could, according to Associate VV, create “buzz”.

1484. Gallagher responded by DM to Associate VV: “ive mae 1.2 mill on past spom weeks, this thing was 12 cents 2 weeks ago. its a real merger name another one lol”.

1485. Gallagher’s statement that “ive made 1.2 mill on past spom weeks” is understood to mean that Gallagher is stating that he profited by selling stock while enticing his readers and followers to buy SPOM shares through his promotion, via tweets and DMs, “spom week”.

1486. On August 9, 2020, at about 2:19 a.m., Gallagher sent a DM to Associate VV: “alright get the boys to push spom for a week then you own me”.

1487. This is understood to mean Gallagher requesting Associate VV and his “boys” to manipulate SPOM’s share price.

1488. On Sunday, August 9, 2020, at about 9:25 a.m. Gallagher sent a DM to Associate AAA: “would love if you pushed spom earnings Friday”. Associate AAA answered: “I have no

problem helping!!.. there are times that I had tons of spom”. Gallagher responded: “i appriciate the help. spom will double at least this week but take the free shares before frind”.

1489. On August 10, 2020, Gallagher sent multiple tweets hyping “\$spom week” such as: “Good news 3rd qtr \$spom 2 week event starts october 31st thru 13th 45 days after 3rd qtr ends Sept 30. Sense \$spom ran 100% last week we have decided to expand the event to 14 days mark your calendars and I strongly suggest you set aside lots of \$spom dollars 3rd qtr life changer:”.

1490. On August 10, 2020, Gallagher sent a DM to a twitter user: “not selling spom its spom week”.

1491. On August 10, 2020, at 9:52 a.m. Gallagher tweeted a tout list: “I MUST SAY THE LIST IS ON FIRE!!! \$SPOM . . . ALL FIRE”.

1492. On August 10, 2020, from 11:44 a.m. to 2:15 p.m. Gallagher sold, undisclosed, 60,500 shares of SPOM, approximately 4% of his holdings of SPOM, at prices from \$0.30260 to \$0.318 per share.

1493. On Monday, August 10, 2020, at 6:00 p.m., Gallagher tweeted a buy tout list: “Tuesday list another all green day!!! Day 3 of \$spom week!!!” with his #1 buy recommendation as \$spom.

1494. On August 11, 2020, Gallagher sold, undisclosed, 100,000 shares of SPOM, approximately 7% of his holdings of SPOM, at prices from \$0.261 to \$0.26305 per share.

1495. On Tuesday, August 11, 2020, in the late afternoon, Gallagher tweeted a buy tout list: “Wednesday \$spom week rebound!!” with \$spom as his #1 buy recommendation.

1496. On August 12, 2020, Gallagher sold, undisclosed, 42,832 shares of SPOM, approximately 3% of his holdings of SPOM, at prices from \$0.2295 to \$0.2499 per share.

1497. In between Gallagher's sale of SPOM shares on August 12, 2020, Gallagher tweeted: "Buy the dips clearly smart \$spom ers buying. I'm all in this baby!\$" and "Always buy the \$spom. Dips!"

1498. On Wednesday, August 12, 2020, Gallagher tweeted a buy tout list: "Thursday list!!! 1 \$spom 100% run tomorrow!! . . .".

1499. On August 13, 2020 Gallagher sold, undisclosed, 11,953 shares of SPOM, less than 1% of his holdings of SPOM, at prices from \$0.211 to \$0.2315 per share.

1500. On Thursday, August 13, 2020, Gallagher tweeted a buy tout list: ""\$spom week finale thank god headache all week and still positive Friday list 1 \$spom . . . We need a win day!\$!"

1501. On August 14, 2020, Gallagher sold, undisclosed, 310,538 shares of SPOM, approximately 23% of his holdings of SPOM, at prices from \$0.1951 to \$0.2075 per share.

1502. On Monday, August 17, 2020, Gallagher tweeted: "buy \$spom pre-earnings!!"

1503. On August 18, 2020, Gallagher sold, undisclosed, 119,900 shares of SPOM, approximately 12% of his holdings of SPOM, at prices from \$0.2051 to \$0.2167 per share.

1504. On Tuesday, August 18, 2020, Gallagher tweeted, at 6:03 p.m. a buy tout list: "Wednesday list 1 \$spom earnings baby".

1505. On August 19, 2020, Gallagher sold, undisclosed, 120,000 shares of SPOM, approximately 13% of his holdings of SPOM, at prices from \$0.1901 to \$0.2001 per share.

1506. On Wednesday, August 19, 2020, at about 8:08 p.m., Gallagher tweeted: "Thursday must owns!!! 1 \$spom filings . . .".

1507. On August 20, 2020, Gallagher sold, undisclosed, 42,000 shares of SPOM, approximately 5% of his holdings of SPOM, at prices from \$0.1825 to \$0.1865 per share.

1508. On Friday, August 21, 2020, at about 4:50 a.m., Gallagher tweeted a buy tout list: “Friday must owns!! 1\$spom Friday Xu”.

1509. On August 21, 2020, Gallagher sold, undisclosed, 149,891 shares of SPOM, approximately 20% of his holdings of SPOM, at prices from \$0.165 to \$0.1685 per share.

1510. On Sunday, August 23, 2020, Gallagher tweeted a buy tout list: Monday big list!! Top 5 must owns this week . . . \$spom”.

1511. On August 24, 2020, Gallagher sold, undisclosed, 30,000 shares of SPOM, 5% of his holdings of SPOM, at prices from \$0.1511 to \$0.153 per share.

1512. On August 24, 2020, at about 3:51 p.m., Gallagher tweeted: “Many may laugh! \$spom earnings may come after hours ya might wanna protect yourself!! great chance for a mega runner!! Im \$spom strong!!!”

1513. On August 25, 2020, at about 9:17 a.m. Gallagher tweeted: “\$SPOM BUY!!! ALERT!!!”.

1514. Subsequent to this tweet on August 25, 2020, Gallagher sold, undisclosed, 70,000 shares of SPOM, approximately 13% of his holdings of SPOM, at prices from \$0.2071 to \$0.2201 per share.

1515. On Tuesday, September 15, 2020, at about 8:12 a.m. Gallagher tweeted a buy tout list: “Tuesday long holds for wealth! This list don’t change often!! . . . \$spom . . .”.

1516. Later on September 15, 2020, Gallagher sold, undisclosed, 200,000 shares of SPOM, 40% of his holdings of SPOM, at prices from \$0.0866 to \$0.087 per share.

1517. From September 30, 2020 to October 30, 2020, Gallagher bought 300,000 shares of SPOM for prices from \$0.078 to \$0.1093 per share.

1518. On October 30, 2020, Gallagher tweeted: \$SPOM BUY ALERT!!!”

1519. On Monday, November 2, 2020, Gallagher tweeted a buy tout list: “Monday list no change 1\$spom week!!! YAY . . .”.

1520. On November 3, 2020, Gallagher sold, undisclosed, 44,026 shares of SPOM, approximately 7% of his holdings of SPOM, at prices from \$0.143 to \$0.149 per share.

1521. On November 5, 2020, in the morning, Gallagher bought 20,000 shares of SPOM for \$.0982 per share.

1522. On November 5, 2020 at 3:31 p.m., Gallagher tweeted: “EOD buys folks!! \$opti multi day runner \$spom. i believe like last Friday old Timmy boy training his kids how to buy \$spom for next week!! \$spom up 44% last Friday!! load cheap and its free training from me!!”.

1523. On November 6, 2020, Gallagher sold, undisclosed, 12,500 shares of SPOM, approximately 3% of his holdings of SPOM, at \$0.105 per share.

1524. On November 9, 2020, Gallagher tweeted: “Oh!! It’s \$spom week! buy”.

1525. On November 10, 2020, Gallagher sold, undisclosed, 140,000 shares of SPOM, approximately 25% of his holdings of SPOM, at prices from \$0.11 to \$0.138 per share.

1526. On Tuesday, November 10, 2020, at 7:25 p.m., Gallagher tweeted a buy tout list: “Wednesday list! 1 \$spom . . .All you need”.

1527. On November 11, 2020, Gallagher sold, undisclosed, 2,725 shares of SPOM, less than 1% of his holdings of SPOM, at \$0.131 per share.

1528. On November 12, 2020, Gallagher tweeted a buy tout list: “End of day must owns!! . . . \$spom LONG . . . BUY ONE BUY ALL!! MULTI DAY RUNNERS!!”.

1529. On November 13, 2020, Gallagher sold, undisclosed, 180,000 shares of SPOM, approximately 43% of his holdings of SPOM, at prices from \$0.096 to \$0.097 per share.

1530. On Monday, November 16, 2020, Gallagher tweeted: “Monday must own!

Updated!! . . . \$spom . . .”.

1531. On November 17, 2020, Gallagher sold, undisclosed, 20,000 shares of SPOM, approximately 9% of his holdings of SPOM, at \$0.0775 per share.

1532. On November 25, 2020, Gallagher tweeted: “Nope one day \$spom will post massive PR and rock! Just the waiting game”.

1533. On November 25, 2020, Gallagher received a DM from a twitter user: “I have been holding spom unfortunately to the tune of 90% loss. Should I hold simply because selling doesnâ[t help me or is this going to rise from the ashes you think?”. Gallagher responded by DM: “Couple good PRs will bring spom back. I never sell for a loss unless helps with taxes end of year”.

1534. On November 27, 2020, Gallagher received a DM from a twitter user: “So SPOM never did report did they? What is your plan w them? Buy more if drops?” Gallagher responded: “Yes great earning and people dump spom is now a bad word”.

1535. On December 5, 2020, Gallagher tweeted: “I regret to say \$spom week will be canceled due to Covid and social distancings Feb 1st -15th! Follow @AlexDelarge6553 for the \$spom week update May 15th TBA!”.

1536. On December 7, 2020, Gallagher sold, undisclosed, his remaining 220,749 shares of SPOM for a loss of approximately \$9,900.

1537. From January 13 to 14, 2021, Gallagher bought 200,000 shares of SPOM for prices from \$0.06 to \$0.064 per share.

1538. On February 10, 2021 at 2:37 p.m., Gallagher tweeted: “\$SPOM WEEK STARTS TOMORROW!”

1539. On February 10, 2021, from 3:32 p.m. to 3:42 p.m., Gallagher sold, undisclosed,

60,000 shares of SPOM, 30% of his holdings of SPOM, at prices from \$0.139 to \$0.1499 per share.

1540. On Wednesday, February 10, 2021, at 5:19 p.m., Gallagher tweeted a buy tout list: Thursday list! . . . \$spom earnings PR”.

1541. On February 11, 2021, Gallagher sold, undisclosed, 10,000 shares of SPOM, approximately 7% of his holdings of SPOM, at \$0.2199 per share.

1542. On February 20, 2021, Gallagher tweeted: “#6 \$spom The most undervalued The most growth . . . 20 million in yearly revenues . . . Up list eminent”.

1543. Gallagher’s representation “Up list eminent” is understood to mean that SPOM would imminently up-list to Nasdaq. Gallagher’s representation was misleading and is understood to be an attempt to encourage investors to buy SPOM. SPOM had not released any PRs concerning an uplisting to Nasdaq. SPOM is currently quoted and traded on the OTC Link.

1544. On February 24, 2021, Gallagher sold his remaining 130,000 shares of SPOM at prices from \$0.0851 to \$0.0859 per share.

SCALPING OF TLSS

1545. Gallagher made approximately \$40,900 in net profits by engaging in a scheme to scalp shares of Transportation and Logistics Systems, Inc., (“TLSS”), which he traded between April 29, 2020 and January 25, 2021.

1546. Between April 29, 2020 and May 22, 2020, Gallagher bought 500,000 shares of TLSS for prices from \$0.031 to \$0.0725 per share.

1547. Subsequent to these initial purchases, Gallagher sent out multiple DMs touting TLSS. For instance, on May 23, 2020, Gallagher sent a DM, “tlss is ythe play this week”. On May 24, 2020, he DM’d: “I like \$tlss for this week . . . otc money will go into tlss this week”.

1548. On May 24, 2020, a Twitter user DM'd Gallagher: "Hi Alexander! I just started following you recently on twitter and followed your SPOM stock. I want to get into tlss this week as well. Do you think this is a good price?" To which Gallagher responded on the following day: "Tlss is gonna explode . . . get in you'll be glad you did I see many dollars coming". The same user wrote back "Ok awesome I will be doing the same! Thanks for your insight."

1549. On May 25, 2020, Gallagher DM'd Associate VV: "tlss is my play this week. . . ."

1550. On May 26, 2020, Gallagher bought another 600,000 shares of TLSS for prices from \$0.0881 to \$0.09 per share.

1551. The same day, Gallagher sent more DMs to multiple twitter users touting TLSS. For instance, "...load the tlss gold"; "...buy this tlss . . ."; "buy spom and tlss"; and "...100% tlss is the hot thing".

1552. That same day, he also touted TLSS in numerous tweets, including: "Got my shares of \$tlss now let's watch the money tree grow as predicted #1"; "A lot of people asking me when to get out of \$tlss. I say take profits if you need the money always. \$tlss is growing 49% . . ."; "In other words buy the shit out of this monster \$tlss"; and "\$tlss . . . buy buy buy! only if you like money and a lot of it!".

1553. On May 26, 2020, Gallagher tweeted his Wednesday tout list: "Wednesday list! . . . 1 \$tlss aint gonna stop dollars!"

1554. On May 26, 2020, Gallagher also falsely tweeted: "...I'm not selling \$tlss . . . I'm holding well over 30 cents and then will only sell a bit to secure gains and hold for dollars . . .". Gallagher's statement "holding well over 30 cents" is understood to be him representing he would be holding his shares until the price per share of TLSS was "well over 30 cents" and then

sell “a bit” but hold his remaining shares until the share price was over \$1. At market close on May 26, 2020, TLSS was trading at \$0.15 per share.

1555. On May 27, 2020, at 10:06 a.m., Gallagher tweeted, “Major buys \$spom always buy dips thats how money is made and \$tlss is still cheap 52 week high within a year massive profits for both!”

1556. On May 27, 2020, from 12:25 p.m. through 3:53 p.m., Gallagher sold, undisclosed, 55,000 shares of TLSS, approximately 5% of his holdings of TLSS, at prices from \$0.2031 to \$0.243 per share.

1557. On May 27, 2020, at 10:27 p.m., Gallagher tweeted, “Funny question am I a pumper? Fuck yes I'm a pumper . when I see a winner im buying and spreading the word.if you dont have me on notification you missed \$spom at 8 cents \$tlss at 8 cents Yes I'm a pumper!”

1558. On May 27, 2020, a Twitter user DM'd Gallagher saying: “I don't have any more cash to do so, should I hold TLSS or take my profit and throw there?” Gallagher did not respond.

1559. On May 28, 2020, Gallagher sold, undisclosed, 100,000 shares of TLSS, approximately 10% of his holdings of TLSS, at prices ranging from \$0.2131 to \$0.265 per share.

1560. On May 28, 2020, among other buy touts, Gallagher tweeted (after he already sold on May 28) his Friday buy list: “Friday lists 1) \$tlss ER today this runs to dollars fast up 200% in a week” and “Tomorrow is why we bought \$tlss and many shorts arevgonna be upset when this hits the first dollar Monday.”

1561. On May 29, 2020, at 8:45 a.m., Gallagher retweeted his Friday buy list that he tweeted the previous day.

1562. On May 29, 2020, throughout the day, Gallagher sold, undisclosed, 125,000

shares of TLSS, approximately 13% of his holdings of TLSS, at prices ranging from \$0.2000 to \$0.2243 per share.

1563. On May 30, 2020, Gallagher tweeted, “\$tlss is now a hold these are buys i haven’t sold and will buy . . .”.

1564. On June 1, 2020, Gallagher sold, undisclosed, 98,000 shares of TLSS, approximately 12% of his holdings of TLSS, at prices ranging from \$0.12 to \$0.1651 per share.

1565. On June 2, 2020, Gallagher tweeted to a Twitter user: “great buying opportunity... \$tlss”. That same morning, after this tweet, he sold, undisclosed, 28,500 shares of TLSS, approximately 4% of his holdings of TLSS, at prices from \$0.0921 to \$0.1036 per share.

1566. On June 2, 2020, Gallagher tweeted to a user, “well I’m holding it’ll bounce back in 15 days \$tlss”.

1567. On June 3, 2020, Gallagher sold, undisclosed, another 15,000 shares of TLSS, approximately 2% of his holdings of TLSS, at a price of \$0.5965 per share.

1568. On June 5, 2020, a user DM’d Gallagher: “This time last week spom ate half my loney and had me dow 5k. This week after breaking even i buy tlss and im down 5k by it. Everyones making money. I sold all my oas to buy into tlss” and “I cant leave tlss it has all my funds”. Gallagher responded: “tlss will be fine”.

1569. On June 11, 2020, a user DM’d Gallagher: “I own a lot of TLSS.. would u advise me to see all of them to buy spom, and then take the profits and reinvest back in spom?” Gallagher responded: “i hold much of tlss and never advise anyone to sell.” The user responded “Copy that. Thank you sir.”

1570. On June 15, 2020, Gallagher tweeted a buy tout list with \$tlss as his “second fav otc glad it’s back for its earnings run. I see profits”. On June 16, 2020, Gallagher tweeted “\$tlss

this will rise all month” and to one user: “\$tlss get rich”. He also sent a DM to Associate TTT on June 17, 2020: “buy tlss”.

1571. Despite these admonitions to his readers and followers to buy, on June 17, 2020, Gallagher sold, undisclosed, 21,500 shares of TLSS, approximately 3% of his holdings of TLSSs, at prices from \$0.0981 per share to \$0.099 per share.

1572. On June 18, 2020, he sold, undisclosed, another 57,000 shares of TLSS, approximately 9% of his holdings of TLSS, at a price of \$0.1371 per share.

1573. On June 20, 2020, Gallagher tweeted a tout list ranking \$tlss as his #3 buy recommendation due to “massive growth Amazon partner”. On June 22, 2020, Gallagher tweeted a revised tout list moving \$tlss to his #2 buy pick. On June 24, Gallagher tweeted a tout list with \$tlss as his number 1 recommendation. On June 25, 2020 he tweeted an updated list with \$tlss as #7.

1574. On June 26, 2020, Gallagher sold, undisclosed, his remaining 600,000 shares of TLSS at prices from \$0.0961 to \$0.099 per share.

1575. On June 26, 2020, following his last sale of TLSS, Gallagher tweeted to other users: “\$tlss something isnt right”, “\$tlss isn’t right with this before earnings”, and “\$tlss my opinion may be changing on that and it happens”.

1576. On June 30, 2020, Gallagher tweeted another user: “sorry i believed until last week i publicly sold Friday . . . \$tlss just didnt work out.”

1577. Between July 1, 2020, and August 10, 2020, Gallagher bought another 400,000 shares of TLSS at prices between \$0.0325 and \$0.0724 per share.

1578. On October 7, 2020, Gallagher tweeted a tout list of his “long holds” which included TLSS.

1579. On December 3, 2020, Gallagher tweeted: “. . . \$tlss wont be lasting to much longer youll see this bag!”

1580. The following day, Gallagher sold, undisclosed, all 400,000 of his shares of TLSS at prices between \$0.0103 and \$0.0104 per share.

1581. From January 13, 2020 to January 14, 2020, Gallagher bought another 250,000 shares of TLSS at prices between \$0.0825 and \$0.092 per share.

1582. On January 14, 2020, Gallagher tweeted a “Thursday green!” tout list which included TLSS. On the same day he tweeted: “32 days to the \$spom and \$tlss party! Both earnings due February 16th! Massive earning growth and updates expected! . . . 200-300% gains minimum!”

1583. On January 19, 2020, Gallagher tweeted: “\$tlss and \$spom eranings due February 16! Both have great history of runs and at cheap levels!!”

1584. On January, 22, 2021, Gallagher sold, undisclosed, his remaining 250,000 of his shares of TLSS at prices from \$0.0598 to \$0.0664 per share.

SCALPING OF TSNP

1585. Gallagher made approximately \$298,900 in net profits by engaging in a scheme to scalp shares of Tesoro Enterprises (“TSNP”), which he traded from November 10, 2020 to February 5, 2021.

1586. On November 6, 2020, Gallagher received a DM from Associate B: “Tsnp next leg starting 100% flip to .02”

1587. On November 9, 2020, Gallagher received a DM from a Twitter user, “TSNP has \$2B deal”.

1588. On November 10, 2020, at about 9:35 a.m., Gallagher bought 2,000,000 shares of

TSNP at \$0.0017 per share.

1589. On November 10, 2020, at about 11:32 a.m., Gallagher sent a DM to three Twitter users which said: “tsnp alert coming”.

1590. On November 10, 2020, at 11:36 a.m., Gallagher tweeted a red alert “\$tsnp alert buy this should be up 500% already!! Strong buy \$tsnp!! Alert” (with a flashing red siren GIF).

1591. On November 10, 2020, just minutes after his red alert, Gallagher tweeted “\$tsnp” with a re-tweet of a Twitter user: “\$TSNP .002 taken out.. going to run even harder \$TSNP”.

1592. On November 10, 2020, in the late morning, Gallagher sent the following tweets: “\$tsnp” with a re-tweet of a Twitter user: “\$TSNP Merger news tomorrow after close”; and “My 3 buys today!! . . . \$tsnp lots of news coming My only alerts today!!! . . .”. and “buy \$tsnp”.

1593. Gallagher did not disclose that he had bought his TSNP shares prior to tweeting his red alert for his followers and readers to buy TSNP shares.

1594. On November 10, 2020, from about 3:28 p.m. to 3:32 p.m., Gallagher sold, undisclosed, 1,000,000 shares of TSNP, 50% of his holdings of TSNP, at \$0.0022 per share.

1595. On November 11, 2020, Gallagher tweeted: “\$tsnp is on my must own!! I love it”; and “\$tsnp up 29% great day”; and, “\$tsnp #2” and, “Absolute must own Thursday!! Exciting day 1 \$tsnp . . . Opportunity here!!”.

1596. On November 11, 2020, Gallagher sent a DM to two Twitter users, “drgv tsnp”.

1597. On Thursday, November 12, 2020, Gallagher tweeted ten TSNP touts including, “FRIDAY LIST!! LOAD NOW!! NOT IN AM!! 1 \$DRGV 2 \$TSNP THE REST TO BE ANNOUNCED!!!”; and, “\$TSNP LOAD THIS SHIT!! IM HERE TO HELP ALL MAKE MONEY AND KILL CANCER!! MAKING MONEY IS THE EASY PART!!!”; and, “Friday great list BEST LIST EVER! 1 \$tsnp . . .”

1598. On November 13, 2020, Gallagher tweeted eighteen TSNP touts including: “\$tsnp my #1”; and “RT @AlexDelarge6553: Friday great list BEST LIST EVER! 1 \$tsnp . . .”; and “Alert buy!! \$tsnp”; and “If you sell \$tsnp short your a fool!!! Hold long!! Lets make money then KILL CANCER!!!”; and “\$tsnp i cant stress how much this helps the SS buy \$tsnp”; and “Monday list always plan ahead!! 1 \$tsnp”.

1599. On November 14, 2020, Gallagher tweeted seven TSNP touts including: \$cbbt or \$tsnp for a week! can only hold one! buy Monday sell Friday. RETWEET”; and, “RT @AlexDelarge6553: Monday hot stocks!! Gotta own 1 \$tsnp . . .”.

1600. On Sunday, November 15, 2020, Gallagher tweeted: “onday must own! Updated!! 1 \$tsnp!!!”; and, “\$tsnp buy alert!!! Monday!! My #1 buy early secure gains”.

1601. On November 16, 2020, Gallagher tweeted at least fifty TSNP touts including: “RT @AlexDelarge6553: Monday must own! Updated!! 1 \$tsnp!!!”; and “\$TSNP !! MULTIPLE PENNIES TODAY!!!”; and “\$TSNP .03 TODAY!!! .05 TOMORROW MAJOR MERGER!!!”; and “Sorry shorts \$tsnp longs will win!! My million shares in tacked!! Load for dollars people!!!1 \$tsnp my #1 tomorrow and Wednesday!”; and “\$tsnp the strongest of alerts!!!”; and “GREAT BUY DIP \$TSNP! BUY THE END OF DAY SELLERS!! YOU'LL BE HAPPY IN THE AM!”; and “5 MINUTES TILL THE BANK CLOSES!! MY \$TSNP SHARES IN TACKED!! LOAD!!”

1602. On November 16, 2020, Gallagher sent DMs to two Twitter users, “TSNP ALL IN” and “BUY TSNP”.

1603. On November 17, 2020 at about 9:37 a.m., Gallagher sold, undisclosed, his remaining 1,000,000 shares of TSNP at prices from \$0.0244 to \$0.0245 per share.

1604. On November 17, 2020, a Twitter user sent a DM to Gallagher: “This is insane So

much selling on TSNP Hopefully it will recover with news anticipation What is your thought?”

Gallagher did not respond to the DM.

1605. From November 18, 2020 through November 24, 2020, Gallagher purchased 1,300,000 shares of TSNP for prices from \$0.0195 per share to \$0.0252 per share. On November 23, 2020, in the middle the above late November purchases of TSNP, Gallagher tweeted: “agreed i am a stock pumper, buy \$enzc \$tsnp ect.”

1606. On November 24, 2020, Gallagher tweeted: “block dump please \$tsnp to the moon”; and “\$TSNP BABY!! LOAD!!!”.

1607. The closing price for TSNP on November 24, 2020 was \$0.0321.

1608. On November 25, 2020, at 11:25 a.m., Gallagher sold 100,000 shares of TSNP, approximately 8% of his holdings in TSNP, at \$0.0399 per share.

1609. On November 25, 2020, from 12:15 p.m. through 12:53 p.m., Gallagher engaged in the following DM conversations: Gallagher received a DM from Associate A: “Also thoughts on TSNp”. Gallagher responded: “Tsnp is my OTC #1” and “tsnp has the most potential in my opinion, [Associate A] load and alert!! trust me lol.” After receiving the DM from Associate A, Gallagher sent DMs to Associates I and two other Twitter users: “love it buddy. tip [Associate A] asking me about tsnp this will blow up”; and “tsnp [Associate A] asking me about it and loading it be ready for him to alert, between us please”; and “tsnp [Associate A] dmed me asking tsnp hes loading and im sure he will alert”.

1610. Later on November 25, 2020, from 1:18 p.m. through 3:05 p.m., Gallagher bought 300,000 shares of TSNP for prices from \$0.0425 per share to \$0.0447 per share. On November 25, 2020, at 3:25 p.m., Gallagher tweeted, “LAST EOD ALERT!! \$TSNP!! Friday morning gapper!!”

1611. The closing price for TSNP on November 25, 2020 was \$0.0413, a 28.6% increase from the previous day's close.

1612. On November 25, 2020, at 5:42 p.m., Gallagher DM'd Associate G: "TSNP DEC 9TH BLOWS UP ADD ALONG THE WAY I DONT DAY TRADE".

1613. On November 26, 2020, Gallagher DM'd Associate G: "Tsnp will be 20 cents in Dec 9th".

1614. On November 26, 2020, Gallagher tweeted, "RT @AlexDelarge6553: Friday list!! 1 \$tsnp red or green #1".

1615. On November 27, 2020, Gallagher sold 500,000 shares of TSNP, approximately 33% of his holdings of TSNP, at prices from \$0.0716 to \$0.10805 per share.

1616. On November 29, 2020, Gallagher tweeted: "Twitter team! I just wanna say OTC stocks I rarly do price targets. If its on my list the answers is higher!! . . . But I will say \$tsnp .30 . . . cents or higher Dec8th".

1617. On November 30, 2020, Gallagher tweeted thirty-two touts for TSNP including: "\$TSNP MAY CLOSE UP 200% TODAY!! DECEMBER 9TH!! IS THE DAY LIFE CHANGES!! . . . "; and "\$TSNP MUST OWN ALERT!!"

1618. On December 1, 2020, at 7:17 a.m., Gallagher tweeted: "\$tsnp the best OTC stock!! Right now!"

1619. On December 1, 2020, at approximately 9:45 a.m., Gallagher sold, undisclosed, his remaining 1,000,000 shares of TSNP, at prices from \$0.17 to \$0.1821 per share.

1620. Throughout the rest of the day on December 1, 2020 and December 2, 2020, Gallagher bought 1,500,000 shares of TSNP for prices from \$0.1147 to \$0.2201 per share.

1621. On December 3, 2020, Gallagher tweeted: "Couple of my bags to all those saying

I pump and dump. I 100% don't here's a couple of my 50 bags! But my massive winner carry the load \$cbdd \$enzc \$tsnp \$rssv \$segi all over 10000% gains from past alerts!! I feel pain to! Love you all!! Transparency! Zero dumps we are a team!"

1622. On Thursday, December 3, 2020, Gallagher tweeted his buy tout list: "Friday list early! "1 \$tsnp for weeks!! . . . Best OTC plays not a flip in the list".

1623. On December 4, 2020, a follower/investor DM'd Gallagher: "Hi Alex . . . I been following you for the past 3 weeks and I want to thank you so much for all you do , I'm a new trader and the only reason I started is to be able to help my mom with her cancer treatments, I'm writing this to you maybe you can help me with your opinion . . . my biggest one is tsnp and I'm a little confused, you think I should hold tell after the call ? Or do you think it will drop sell off after the call ? Thank you so much and I promise I will donate \$500 to your cancer cause as soon as I free some money ,". Gallagher DM'd back: "all ill say is tsnp is the best otc stock, ill neve say sell".

1624. However, on December 4, 2020 and just hours before the above DM conversation, Gallagher sold, undisclosed, 345,000 shares of TSNP, approximately 23% of his holdings of TSNP, at prices from \$0.2079 per share to \$0.2295 per share.

1625. While Gallagher was engaged in the above sales, he also bought 15,000 shares of TSNP at a price of \$0.22 per share.

1626. On Sunday, December 6, 2020, Gallagher tweeted: "You must own these before buying alerts! Monday list 1 \$tsnp . . . Never go all in! Spread it around! One OTC hits you retire early!!!"; and "My big three runners. Tomorrow! My estimates \$tsnp up 100%-135% . . .".

1627. On December 7, 2021, Gallagher sold, undisclosed, 227,000 shares of TSNP, approximately 19% of his holdings of TSNP, at prices from \$0.28195 to \$0.329 per share.

1628. On Monday, December 7, 2020, and while he was selling, Gallagher tweeted over twenty TSNP touts, including: “\$tsnp I said buy Friday!! Let's see the gap! It's gonna get big! I think this is aging very well! \$tsnp gaps to .30 cents”; and “\$tsnp! multiple dollars soon! . . . 2.5 days to load before the run to dollars!! . . .”; and “Tuesday runners! Was 100% on Monday runners. Lets keep it going! 1 \$tsnp merger complete soon . . . Runners all big green tomorrow! . . .”.

1629. On Tuesday, December 8, 2020, at 9:33 a.m., Gallagher sold, undisclosed, 3,750 shares of TSNP, approximately 1% of his holdings of TSNP, at \$0.285 per share.

1630. On December 8, 2020, at approximately 3:56 p.m., Gallagher bought 30,000 shares of TSNP for prices from \$0.282 to \$0.2898 per share.

1631. On December 8, 2020, Gallagher tweeted, “RT @AlexDelarge6553: Tuesday list!! All long holds! 1 \$tsnp #1 . . .”. On December 9, 2020, Gallagher sold, undisclosed, 15,000 shares of TSNP, approximately 2% of his holdings of TSNP, at \$0.2752 per share.

1632. Between December 10, 2021 and December 16, 2021, Gallagher bought 360,000 shares of TSNP for prices from \$0.078 to \$0.1848 per share.

1633. Between December 9, 2021 and December 19, 2021, Gallagher tweeted over one-hundred touts for TSNP.

1634. On December 10, 2020, Associate U DM'd Gallagher: “Let's work together and push TSNP back above 0.3 level”. Gallagher responded, “lol its all i do is push tsnp”.

1635. On December 16, 2021, Gallagher tweeted, “\$tsnp thoughts! How about tomorrow we dont sell we hold and and make some Damn money! Anyone agree?” On Friday, December 18, 2020, Gallagher tweeted: “Monday list! Long OTC s . . . 4 \$tsnp shorts out green”; and, “\$tsnp is a very long for me!! There are doing all the right things! People think I'm a

day trader! I'm 80% long and swings!”

1636. On December 21, 2020 at 11:00 a.m., Gallagher tweeted: “Love the \$tsnp strong hands!!”

1637. On December 21, 2020, starting at about 1:39 p.m., Gallagher sold, undisclosed, 410,192 shares of TSNP, approximately 31% of his holdings of TSNP, at prices from \$0.121 to \$0.1253 per share.

1638. While Gallagher was engaged in selling TSNP on December 21, 2020, he also bought 10,000 shares of TSNP for a price of \$0.1228 per share.

1639. Later on December 21, 2020, Gallagher tweeted: “Tuesday list!! Longs! 1 \$alpp . . .”.

1640. On December 22, 2020, prior to the market-open, Gallagher tweeted: “OK Everyone don't forget we are moving \$tsnp to .40 today!! Goals!”

1641. On December 22, 2020, beginning approximately an hour after the above tweet, Gallagher sold, undisclosed, 314,058 shares of TSNP, approximately 34% of his holdings of TSNP, at prices from \$0.142 to \$0.1593 per share.

1642. On Tuesday, December 22, 2020, after the market closed, Gallagher tweeted: “Wednesday list! . . . 2 \$tsnp . . .”.

1643. On December 23, 2020, Gallagher sold, undisclosed, 100,000 shares of TSNP, approximately 17% of his holdings of TSNP, at prices from \$0.1821 to \$0.1892 per share.

1644. On Tuesday, January 5, 2021, Gallagher tweeted: “...\$TSNP is going to make a lot of people rich!”; and, “Wednesday list ! . . . \$tsnp . . .”.

1645. On January 6, 2021, Gallagher sold, undisclosed, 30,097 shares of TSNP, approximately 6% of his holdings of TSNP, at prices from \$0.1625 to \$0.1645 per share.

1646. On January 7, 2021, at approximately 9:56 a.m., Gallagher sold, undisclosed, 69,903 shares of TSNP, approximately 15% of his holdings of TSNP, at prices from \$0.1625 to \$0.1629 per share.

1647. On January 7, 2021, at 11:01 a.m., Gallagher tweeted, "...Can we do 200% eod? \$tsnp . . .".

1648. On January 8, 2021, Gallagher tweeted, "\$TSNP!!!"

1649. In the early afternoon of January 8, 2021, Gallagher sold, undisclosed, 56,676 shares of TSNP, approximately 14% of his holdings of TSNP, at \$0.159 per share.

1650. Right after he sold the above 56,676 shares, Gallagher tweeted: "\$tsnp you want this".

1651. On January 10, 2021, Gallagher tweeted, "it's always good to be loaded in \$tsnp one of my favs.".

1652. On January 11, 2021, Gallagher sold, undisclosed, 143,324 shares of TSNP, approximately 42% of his holdings of TSNP, at prices from \$0.1695 to \$0.1697 per share.

1653. On January 12, 2021, Gallagher tweeted, "Tuesday must owns . . . \$tsnp . . .".

1654. On January 13, 2021, Gallagher sold, undisclosed, 20,000 shares of TSNP, approximately 10% of his holdings of TSNP, at \$0.199 per share.

1655. On January 16, 2021, Gallagher tweeted: "Twitter facts! When alert im not alerting for a quick flip! I alert the next big thing! IMO! Patience! Pays! I own every alert unless I see or hear of scam rumors! Every alert has potential to be #1 on my list . . . \$tsnp ext all these alerted sub penny!" On January 17, 2021, Gallagher tweeted: "Low risk gains OTC stocks the best IMO ... \$tsnp... My biggest % winners"; and "... you wanna own this AND \$TSNP"; and "\$tsnp week is every week!".

1656. On January 18, 2021, Gallagher re-tweeted another Twitter user: “Am I pumping \$TSNP hard? You bet your bananas I am. Don’t monkey around. This is going to be massive.”; and “... I alerted this great company at .0012 and I was late!! \$tsnp is a life changer must own! And that ain’t no bullshit!”

1657. On January 19, 2021, Gallagher tweeted a tout list and several tout tweets encouraging his followers and readers to purchase TSNP including: “\$tsnp I love this!!”

1658. Between January 20, 2021 and January 22, 2021, Gallagher tweeted three tout lists with TSNP on them.

1659. On January 22, 2021, Gallagher tweeted: “... Something BIG Is COMING!!!! \$TSNP ... @AlexDelarge6553”; and “... \$tsnp multiple dollars”.

1660. On January 22, 2021, Gallagher sold, undisclosed, 76,800 shares of TSNP, approximately 43% of his holdings of TSNP, at prices from \$0.3737 to \$0.385 per share.

1661. From January 23, 2021 through January 25, 2021, Gallagher tweeted another 25 touts for TSNP including multiple tout lists and: “\$tsnp this is freaking huge!!!”; and “\$tsnp \$dpls two of my 135 OTC WINNERS!! LOVE EM”; and “\$tsnp!!!”.

1662. On January 24, 2021, Gallagher received the following DM: “Hi. Serious question: Is it your opinion that a person could reasonably safely start a position on TSNP on Monday and not get screwed? Why or why not? Thanks for all you do, a fellow (former) Ohio boy.” Gallagher responded: “Some people sell on news if your patient buy regardless. I buy every red day tsnp is massive.”

1663. On January 25, 2021, Gallagher sold, undisclosed, 13,200 shares of TSNP, approximately 13% of his holdings of TSNP, at \$0.4599 per share.

1664. On January 27, 2021, Gallagher tweeted: “\$tsnp gold! As you all know!”

1665. On January 28, 2021, Gallagher tweeted: “Friday list... 3 \$tsnp...”.

1666. On January 29, 2021, Gallagher tweeted: “OTCs finest ... 3\$tsnp...” and on January 30, 2021, e retweeted this list.

1667. On January 31, 2021, Gallagher tweeted: “\$tsnp has made all of us a lot of money! And alot more to come! Get excited!”.

1668. On Thursday, February 4, 2021, Gallagher tweeted 12 touts for TSNP all before 12:30 p.m., including: “Thursday list... \$tsnp...”; “\$TSNP!!! WE GET THAT DOLLAR!! HOLD YOUR FUCKING SHARES!!”; and “\$TSNP JUMP IN ITS GOING TO MULTIPLE DOLLARS!! LET THIS ALERT BE THE ONE THAT DOES IT!!! STRONG BUY!!!”.

1669. On February 4, 2021, from approximately 12:37 p.m. through 1:12 p.m., Gallagher sold, undisclosed, 10,000 shares of TSNP, approximately 11% of his holdings of TSNP, at prices from \$0.8995 to \$0.9329 per share.

1670. On the morning of February 5, 2021, Gallagher received a DM from one of his Associates: “ty great job TSNP”.

1671. Later that day, Gallagher tweeted: “\$tsnp dollar. it finally happened, watch how fast \$2.00 comes congrats all us longs!!”.

1672. Just a few hours after the above tweet, Gallagher sold, undisclosed, 30,000 shares of TSNP, approximately 38% of his holdings of TSNP, at prices from \$1.23 to \$1.57 per share.

SCALPING OF TSOI

1673. Gallagher made approximately \$28,000 in net profits by engaging in a scheme to scalp shares of Therapeutic Solutions International, Inc., (“TSOI”), which he traded from January 20, 2021 through March 5, 2021.

1674. On January 16, 2021, an Associate sent a DM to Gallagher: “a few people im

hearing tsoi from”. On January 19, 2021, the same Associate sent another DM to Gallagher, “Also, let’s discuss TSOI after the close . . .” with the Associate indicating that she was receiving information regarding TSOI “in confidence”.

1675. On January 20, 2021, Gallagher bought 500,000 shares of TSOI at prices ranging from \$0.0083 to \$0.0085 per share. Minutes after buying the shares, Gallagher tweeted, “bought \$TSOI @ [Associate Z] says its good! shes shown me gold in the past! I listen to smart traders!”. The Associate then sent a DM to Gallagher: “Alex . . . Thanks for the shout out on TSOI”.

1676. On January 22, 2021, 2021, Gallagher tweeted TSOI as a buy recommendation putting it on his “Monday list” buy touts.

1677. On January 25, 2021, Gallagher sold, undisclosed, 100,000 shares of TSOI, 20% of his holding of TSOI, at \$0.268 per share.

1678. On January 25, 2021, Gallagher touted TSOI in at least five tweets that day, including tweeting it on his Tuesday tout list and tweeting: “My best day ever! OTC is insaine . . . \$tsoi +80% ...Thank you all for playing! . . . Show the world if you buy and hold Your rich!”.

1679. The same day, Associate Z sent a DM to Gallagher: “Hey Alex. I’m really pushing my TSOI today. I am dedicated to all your efforts there in confidence.”

1680. On January 25, 2021, after the market closed, Gallagher tweeted, “Big green Tuesday list! . . . \$tsoi . . . Beating Monday! These eight are great!”

1681. On January 26, 2021, Gallagher tweeted early in the morning, “\$TSOI WHAT A GREAT FIND!!”

1682. On January 26, 2021, at about 11:26 a.m., Gallagher sold, undisclosed, 100,000 shares of TSOI, 25% of his holdings of TSOI, at \$0.0459 per share.

1683. On January 29, 2021, Gallagher tweeted a tout list that included a buy

recommendation for TSOI, and, on February 1, 2021, Gallagher tweeted “RT @[Associate Z]: My \$TSOI is sure hanging in there this morning . . . Any morning this week we could see more news! I’m holding out . . .”.

1684. On February 4, 2021, Gallagher sold, undisclosed, 100,000 shares of TSOI, 33% of his holdings of TSOI, at \$0.0419 per share. Later that day, Gallagher tweeted two tout lists that included TSOI as a buy recommendation.

1685. On February 8, 2021, Gallagher tweeted a buy tout lists that included TSOI.

1686. On February 9, 2021, Gallagher, sold, undisclosed, 50,000 shares of TSOI, 25% of his holdings of TSOI, at \$0.1445 per share.

1687. On February 9, 2021, Gallagher tweeted another buy tout list that included TSOI as a buy recommendation: “Zero stress! Hold long get rich stocks! ... \$tsoi ... Put 1k in all these you have a million in one year!”.

1688. On February 10, 2021, Gallagher tweeted “I LOVE AND OWN \$TSOI”.

1689. The next day, February 11, 2021 at 11:08 a.m., Gallagher sold, undisclosed, another 50,000 shares of TSOI, 33% of his holdings of TSOI, at \$0.1500 per share.

1690. Between February 11, 2021 and February 24, 2021, Gallagher tweeted and retweeted six new buy touts for TSOI. During this time, Associate C sent a DM to Gallagher that “My group is in . . . tsoi”. Gallagher did not respond.

1691. On March 5, 2021, Gallagher sold, undisclosed, his remaining 100,000 shares of TSOI at \$0.06 per share.

SCALPING OF TXTM

1692. Gallagher made approximately \$86,590 in net profits by engaging in a scheme to scalp shares of ProText Mobility Inc. (“TXTM”), which he traded from February 4, 2021

through August 9, 2021.

1693. On February 3, 2021, a twitter user sent a DM to Gallagher, “TXTM get some”. Gallagher replied, “Ttxtm is this the big one tomorrow? Or later?”

1694. On February 4, 2021, at around 9:11 a.m., Gallagher sent a DM to Associate CCCC: “TXTM HOLD ADD CHEAP NEXT WEEK ALERT GOLD GO BIG”.

1695. On February 4, 2021, beginning at 9:33 a.m., Gallagher bought 31,147,813 shares of TXTM for prices from \$0.0009 to \$0.0011 per share.

1696. On Thursday, February 4, 2021, at 2:10 p.m., Associate X sent a DM to Gallagher: “TXTM Monday Alex~ Be SURE you have some! Much to be shared and exposed...” That same day, Associate X sent two DMs to Gallagher: “TXTM Monday FIRE!!!! Call the Fire department! We have a FULKL Blaze coming” and “Going FULL FORCE on TXTM Monday!”

1697. On February 4, 2021, Gallagher also engaged in a DM conversation with Associate Z. Associate Z wrote to Gallagher: “Sounds good Alex. PHBI EOD tomorrow []? Or morning? Also, I will get working quietly on TXTM for Monday []. Have a great night!” Gallagher responded: “txtm did i tell you that for next week”. Associate Z wrote back: “Yes you told me TXTM for Monday. I’m quietly on it over the weekend...”. Gallagher then responded: “txtm will be a monster”.

1698. After the above conversation, Gallagher then proceeded to DM several Associates, (Associates CC, FF, II, KK and MM – OO), asking them to purchase TXTM and alerting them to “txtm monday”.

1699. On Saturday, February 6, 2021, Gallagher sent DMs to Associates A, FFF and DDDD – GGGG): “ipwg txtm ehos watch these blow up next week and weeks to come. join the

ride”; and “txtm buy that forget the rest\”; and “txtm hope you can buy that”; and “im in big buy txtm asap”; and “TXTM”.

1700. On Monday, February, 8, 2021, from 9:36 a.m. through 12:12 p.m., Gallagher tweeted: “\$txtm monster alert my #1 for the upcoming days! Check the DD pack below! \$Ttxtm imo is a great buy”; and “\$TXTM CHALLENGE ALL LOTS OF DD COMING!”; and “RT @AlexDelarge6553: \$TXTM CHALLENGE ALL LOTS OF DD COMING!”

1701. From 12:50 p.m. through approximately 1:40 p.m. on February 8, 2021, Gallagher sold, undisclosed, 2,000,000 shares of TXTM, approximately 6% of his holdings of TXTM, at prices from \$0.0045 to \$0.0048 per share.

1702. Gallagher sent another three buy touts for TXTM during the rest of the afternoon of February 8, 2021.

1703. On February 9, 2021, at approximately 10:03 a.m., Gallagher sold, undisclosed, 1,147,813 shares of TXTM, approximately 4% of his holdings of TXTM, at \$0.0057 per share.

1704. Later that morning, at 11:37 a.m., Gallagher tweeted: \$TXTM AND \$PDPR ARE THE BEST DIP BUYS!! i LOAD ALERT DIPS”.

1705. At approximately 12:50 p.m., Gallagher sold, undisclosed, 1,000,000 shares of TXTM, approximately 4% of his holdings of TXTM, at \$0.005 per share.

1706. At 2:33 p.m., Gallagher tweeted: “\$txtm this is the real deal!”

1707. From approximately 3:00 p.m. through 3:45 p.m., Gallagher sold, undisclosed, 3,000,000 shares of TXTM, approximately 11% of his holdings of TXTM, at prices from \$0.0059 to \$0.0062 per share.

1708. While Gallagher was engaging in the above sales, he was also tweeting buy touts for TXTM: “\$wrfx \$ipwg and my EOD alert you will want today! Alerts run for days! And will

be High on my list! Look at \$clts \$Ttxtm \$pdpr alerts fire!” and “\$txtm smart trader know whats good!!...”.

1709. In total, on February 9, 2021, while sending TXTM touts throughout the day, Gallagher sold 5,147,813 shares of TXTM, approximately 18% of his holdings of TXTM, at \$ per share.

1710. On February 10, 2021, at 6:50 a.m., Gallagher tweeted a tout list with TXTM.

1711. From approximately 10:20 a.m. through 3:14 p.m., Gallagher sold, undisclosed, 1,918,881 shares of TXTM, approximately 8% of his holdings of TXTM, at prices from \$0.0058 to \$0.0066 per share.

1712. On February 11, 2021, from approximately 11:50 a.m. through 1:14 p.m., Gallagher sold, undisclosed, 2,000,000 shares of TXTM, approximately 9% of his holdings of TXTM, at \$0.0044 per share.

1713. On February 12, 2021, at 11:20 p.m., Gallagher sold, undisclosed, 2,000,000 shares of TXTM, approximately 10% of his holdings of TXTM, at \$0.0035 per share.

1714. From February 12, 2021 through February 15, 2021, Gallagher tweeted twelve buy touts for TXTM, including: “Ok challenge players! I have a short list! Of life changing stocks! Start with these before any alerts. Major gems here! Fully loaded! past alerts. Set for take off IMO...\$Ttxtm”.

1715. On Monday, February 15, 2021, Gallagher tweeted: “Updated list for Tuesday green list!...\$txtm”.

1716. On the morning of February 16, 2021, Gallagher sold, undisclosed, 2,081,119 shares of TXTM, approximately 12% of his holdings of TXTM, at prices from \$0.0036 to \$0.004 per share.

1717. In the afternoon of February 16, 2021, Gallagher tweeted: “Tuesday list grade!...\$txtm” and “i have over \$50k in each \$tsnp \$txtm \$ipwg”.

1718. On February 19, 2021, Gallagher sold, undisclosed, his remaining 16,000,000 shares of TXTM at prices from \$0.0017 to \$0.002 per share.

1719. On April 22, 2021, Gallagher bought 5,000,000 shares of TXTM for \$0.0017 per share.

1720. From April 22, 2021 through May 19, 2021, Gallagher tweeted eight buy touts for TXTM, including: ““\$txtm remember that one?”

1721. On Thursday, May 27, 2021, Gallagher tweeted: “...\$txtm fully loaded for the pop!” and a “Friday list” with TXTM on it.

1722. On June 7, 2021, Gallagher sold, undisclosed, his remaining 5,000,000 shares of TXTM at \$0.0014 per share.

1723. On June 30, 2021, Gallagher purchased 2,500,000 shares of TXTM for \$0.0019 per share.

1724. Later on Wednesday, June 30, 2021, Gallagher tweeted: “Thursday list...\$txtm”.

1725. On July 1, 2021 at 7:33 a.m., Gallagher tweeted: “Today’s money watch...\$txtm filing cheap weed rumor...”

1726. Later that day, at 3:36 p.m., Gallagher sold, undisclosed, his remaining 2,500,000 shares of TXTM at \$0.0017 per share.

1727. On the morning of July 26, 2021, Gallagher purchased 4,000,000 shares of TXTM for prices from \$0.0029 to \$0.003 per share.

1728. Throughout the rest of the July 26, and through July 27, 2021, Gallagher tweeted nine buy touts for TXTM, including: “\$TXTM Added this AM! My old friend!”; and “\$txtm is

gonna be special!”

1729. On July 28, 2021, in the morning and early afternoon, before 2:00 p.m., Gallagher tweeted three buy touts for TXTM including: “...\$txtm almost there!! . . . \$txtm!”

1730. On July 28, 2021 at 2:36 p.m., Gallagher sold, undisclosed 1,000,000 shares of TXTM, 25% of his holdings of TXTM, at \$0.0042 per share.

1731. From July 28, 2021, after Gallagher sold these shares, through August 4, 2021, Gallagher tweeted 12 buy touts for TXTM, including: “\$txtm pink! For all those Sms asking if I’m worried and I said no! \$txtm time!”

1732. On August 6, 2021, before 8:00 a.m., Gallagher tweeted: “\$txtm simply over sol[d] like most of OTC! We will be fine. [RT @[Twitter user] “give us that support for \$txtm tomorrow.””

1733. Later on August 6, 2021, at approximately 12:18 p.m., Gallagher sold, undisclosed, 1,000,000 shares of TXTM, 33% of his holdings of TXTM, at \$0.0042 per share.

1734. On August 7, 2021, Gallagher tweeted: “Cheap list upon request. In order of cheapest...\$txtm...”

1735. On August 9, 2021, Gallagher sold, undisclosed, his remaining 2,000,000 shares of TXTM at \$0.0032 per share.

SCALPING OF UAPC

1736. Gallagher made approximately \$35,100 in net profits by engaging in a scheme to scalp shares of United American Petroleum Corp. (“UAPC”), which he traded from June 14, 2020 through February 26, 2021.

1737. On June 15, 2020, at the market’s open, Gallagher bought 2,000,000 shares of UAPC for prices from \$0.0024 per share to \$0.0029 per share.

1738. At about 9:32 a.m., Gallagher sent a DM to Associate HHHH: “uapc”.

1739. Two minutes later, at about 9:34 a.m., Gallagher tweeted an alert: “Alert #6 my new shell RM runner \$uapc lets watch this go! no debt clean and ready . agree with the weed man!” followed by: “Alert \$uapc is a must own clean shell!”.

1740. From June 15, 2020 through July 6, 2020, Gallagher tweeted approximately 35 UAPC touts. For instance, on July 2, 2020, Gallagher tweeted: “Anyone buy into my early alert a few weeks back on \$uapc? Just curious. Just up 100% and free shares. One of the good ones. I know I missed on a few. But this is gold!” On July 6, 2020, Gallagher tweeted: “Great dip buys right now! . . . \$uapc . . . everything else is rocking!”; and a buy tout list: “Tuesday gold! . . \$uapc merge . . .”.

1741. On July 7, 2020, Gallagher sold, undisclosed, 1,260,000 shares of UAPC, approximately 63% of his holdings of UAPC, at prices from \$0.0032 to \$0.0034 per share.

1742. On July 9, 2020, Gallagher tweeted: “\$uapc +13%”. On Sunday, July 12, 2020, Gallagher tweeted a buy tout list: “Monday list RETWEET I’ll follow on RETWEETS . . . \$uapc . . .”.

1743. On July 14, 2020, Gallagher sold, undisclosed, his remaining 740,000 shares of UAPC at prices from \$0.0026 to \$0.0030 per share.

1744. On January 15, 2021, Gallagher bought 1,000,000 shares of UAPC for \$0.0042 per share.

1745. On January 19, 2021, Gallagher tweeted a UAPC alert: “oh!! and \$uapc was a past alert!!”

1746. From January 19, 2021 through January 21, 2021, Gallagher sent five tweets touting UAPC. For example, on Thursday, January 21, 2021, Gallagher tweeted a buy tout list:

“Friday list! . . . \$UAPC . . . RETWEET GET A FOLLOW”.

1747. On January 22, 2021, Gallagher sold, undisclosed, 200,000 UAPC shares, 20% of his holdings of UAPC, at \$0.0105 per share.

1748. On Sunday, January 24, 2021, Gallagher tweeted a UAPC alert: “\$uapc good stuff”.

1749. On Monday, January 25, 2021, Associate IIII sent a DM to Gallagher at approximately 10:38 a.m.: “UAPC just broke historical resistance at 0.018, could squeeze hard”.

1750. On Monday, January 25, 2021, at approximately 1:16 p.m., Gallagher sold, undisclosed, 200,000 UAPC shares, 25% of his holdings of UAPC, at \$0.0152 per share.

1751. On Monday, January 25, 2021, shortly after his sales of UAPC shares, Gallagher tweeted a UAPC alert: “\$UAPC BIG FAN”.

1752. On January 26, 2021, Gallagher sold, undisclosed, 100,000 UAPC shares, approximately 17% of his holdings of UAPC, at prices ranging from \$0.0200 to \$0.0210 per share.

1753. On Saturday, January 30, 2021, Gallagher sent a tweet touting UAPC: “RT @AlexDelarge6553: The cheap best!! ...9 \$uapc...”.

1754. On February 04, 2021, Gallagher sold, undisclosed, 100,000 UAPC shares, 20% of his holdings of UAPC, at \$0.0340 per share.

1755. On Thursday, February 4, 2021, following his sales of UAPC shares, Gallagher tweeted: “Friday green!! ...15 \$uapc”.

1756. On Friday, February 5, 2021, Gallagher sold, undisclosed, 100,450 UAPC shares, 25% of his holdings of UAPC, at prices from \$0.0420 to \$0.054 per share.

1757. On Saturday, February 06, 2021, Gallagher tweeted: “Long holds! But these get

rich simple! 1 Alerting Monday! Massive alert coming! . . . \$UAPC...”.

1758. On Monday, February 08, 2021, Gallagher tweeted a buy tout list: “Tuesday list!...7 \$uapc...I can name 20 more as good 31 tickers red 155 green”.

1759. On Tuesday, February 09, 2021 at approximately 09:50 a.m., Gallagher sold 99,500 UAPC shares, approximately 33% of his holdings of UAPC, at \$0.0914 per share.

1760. On February 9, 2021, after the market closed, Gallagher tweeted: “Zero stress! Hold long get rich stocks!...3\$uapc...Put 1k in all these you have a million in one year!”

1761. On February 11, 2021, Gallagher sold 47,400 UAPC shares, approximately 24% of his holdings of UAPC, at \$0.0998 per share.

1762. On Thursday, February 18, 2021, Gallagher tweeted a buy tout list: “Friday green! This time we will! . . . \$uapc...”.

1763. On February 19, 2021, Gallagher sold, undisclosed, 52,600 UAPC shares, approximately 34% of his holdings of UAPC, at \$0.0750 per share.

1764. On February 26, 2021, Gallagher sold, undisclosed, his remaining 100,000 UAPC shares, at prices from \$0.0605 to \$0.0630 per share.

SCALPING OF WTII

1765. Gallagher made approximately \$112,500 in net profits by engaging in a scheme to scalp shares of Water Tech International, Inc. (“WTII”), which he traded from April 22, 2021 through August 20, 2021.

1766. From April 22, 2021 to April 23, 2021, Gallagher bought 5,100,000 shares of WTII for prices from \$0.009 to \$0.0379 per share.

1767. On April 23, 2021, Gallagher tweeted: “\$wtii is a month’s runner. The best tech ive seen! Period! Turns air into drinkable water!”; and, “... wtii is the best OTC find so far!! Air

to drinkable water. Patent! Thank you much for making a lot of people a lot of money!; and “Monday list! . . . 1 \$wtii new tech: and, “alerted at 345 today. You can buy anytime you wish \$wtii”; and “are you in \$wtii? I like when smart traders are.”; and “\$wtii follow”; and “\$wtii we need a lock the float team! Whos in? Or gonna be in! It’s so small of float you hold we win! Get it? That means you hold your shares. There isn’t a lot!”; and “No do your DD and ask os this tech worth 4 or 80 cents \$wtii”.

1768. On April 24, 2021, Gallagher tweeted, among other touts: “Ok, Twitter today is \$wtii DD day! I want all of you to really look at this hightech company just now taking off! Not only cheap at .04 cents but the float is small and can be locked up and hit dollars . . . Follow on Twitter”; and “Next time hit m in the head and make me buy! \$wtii!”; and, “Focus 3 this week is simple! 1 \$wtii . . .”; and, “\$wtii #3 on breakout boards!! Please tell me you bought before close!!”; and “People! Listen! 4k views! We hold we get dollars! I have 5 mill shares! And will not sell! It we stay strong as a group! \$wtii own hold! Whos strong?”; and “\$wtii hold! We all win”; and, (in response to a tweet asking: “Alex how do you know when to sell”) “I shave small profits at the ask price, add dips and repeat gaining a bigger core position. i never bail on a alert ever! I buy on alerts \$wtii \$pvdg \$wdlf ect”; and, “\$wtii do you get it yet? lock the float game, stay tuned; and, “People!! I’m getting tons of messages! do not sell \$pvdg or \$wdlf The answer is NO!! 1 \$wtii 1 \$pvdg1 \$wdlf TOP3 \$wtii just happens to be the new hottest thing!! sell your crap! these 3 are the best long holds! ATM”.

1769. On April 25, 2021 Gallagher tweeted, among other touts: “\$wtii love good patent tech! Big news coming this week!”; and “I hope we band together and lock this float down! \$wtii lets lock it down!”; and “Its high on the breakout boards. \$wtii is a long old for me lots of news coming Id get in when you can.”; and, “\$wtii. . . only .04 cents I see this hitting .25 fast! dollars

in months news coming! Big box stores Home depot ? Lowes? both? we find out soon!"; and "The OTC is hot again! Get excited! \$wtii \$pvdg \$wdlf long hold all 3 cheap new highs for all next week!! team up with me folks. I'll show you green! I only ask you to sell smart! clearly, i don't pump and dump. the same tickers have been on my list for many months!"; and "\$wtii owners please have strong hands the float is too good to take small gains to let's make this a good one i see many big players ill be strong if you will! who in?"; and "focus 5 lists for the week goal is 5 green days in all these! 1 \$wtii . . ."; and "I'm all for taking profits, that the game. Please do it smartly. Sell the stock price, not the bid, Selling the bid hurts all involved! Why sell cheaper than their worth be smart trades we need to work together and we all win more in the bull market! \$wtii . . .".

1770. On April 26, 2021, before the market opened, Gallagher tweeted: "\$wtii Some fool with a 500k share sell order at .06 break that shit up. Sell small or hold this runs to .25. Be smart! Lock your shares down! There isnt many!" [lock gif]; and, "\$wtii continuation alert!! . . . With great news coming .25 this week Low float hold!!! Lock em in!!" [red alert gif]; and "\$pvdg \$wdlf and \$wtii These are the stocks to buy!!".

1771. On April 25, 2021, among other touts, Gallagher also tweeted: "\$wtii lock this float! Are not many in this?" and falsely tweeted that he was buying shares when in reality he was selling shares: "I'm buying this! \$wtii".

1772. On April 26, 2021, Gallagher sold, undisclosed, 751,000 shares of WTII, approximately 15% of his holdings of WTII, at prices from \$0.0434 to \$0.0635 per share.

1773. On April 26, 2021, while Gallagher was selling these WTII shares, he tweeted: "\$wtii very strong! weak hands out great recovery big green to come!! We have a good one here!" ["I like that" gif]; and, "\$wtii more smart t raders!! \$wtii is strong with major news

coming!!!”; and “\$wtii is real! Get in before the news!”

1774. Gallagher’s repeated tweets to his readers and followers to lock WTII’s float is understood to be him instructing and encouraging them to buy WTII shares. This would raise WTII’s share price and allow Gallagher to maximize his profit as he sold into his touts.

1775. On April 26, 2021, at about 6:33 p.m. Gallagher tweeted a buy tout list with \$wtii as his #1 buy recommendation.

1776. On April 27, 2021, between about 9:38 a.m. and 10:28 a.m., Gallagher tweeted: “\$wtii now we add!”; and “\$wtii this is the buy time!! ‘great news’ is coming!!!”; and “\$wtii you see its going green!! get the last dip!” [green heart gif].

1777. On April 27, 2021, starting at about 10:53 a.m., Gallagher sold, undisclosed, 449,000 shares of WTII, approximately 10% of his holdings of WTII, at prices from \$0.0355 to \$0.040 per share.

1778. On April 27, 2021, just before the market closed, Gallagher tweeted: “\$wtii add before close!!” After the market closed, Gallagher tweeted a buy tout list for the next day, “Wednesday list” with \$wtii as his #1 buy recommendation.

1779. On April 28, 2021 Gallagher sold, undisclosed, 900,000 shares of WTII, approximately 24% of his holdings of WTII, at prices from \$0.0282 to \$0.034 per share. While Gallagher was selling these shares, he tweeted: “\$wtii my dip buy today!! Big news. I buy red!!!”

1780. On April 28, 2021, Gallagher tweeted a buy recommendation list for the next day; “Thursday list . . . \$wtii . . . Due your DD grab a few!”.

1781. On April 29, 2021, Gallagher sold, undisclosed, 1,900,000 shares of WTII, approximately 63% of his holdings of WTII, at prices from \$0.0321 to \$0.035 per share. While Gallagher was selling these shares, he tweeted: “WTII LAST FRIDAYS ALERT!! STILL

RUNNING!! I HAVE ANOTHER GREAT ALERT TOMORROW!! BE READY!! CAN YOU GUESS IT? STAY TUNED AT 3:45 EST TOMORROW! WITH TONS OF DD!”

1782. On Thursday, April 29, 2021, after the market closed, Gallagher tweeted: Friday massive day list! . . . \$wtii huge news coming”.

1783. On April 30, 2021 Gallagher sold, undisclosed 100,000 shares of WTII, approximately 9% of his holdings of WTII, at prices from \$0.0302 to \$0.0305. After the market closed, Gallagher, who had sold approximately 80% of his holdings of WTII over the past five days, tweeted: “Some stock traders out there willing to hurt others dumping hard. Guess they didn’t like the \$wtii 200% winner last Friday. Sad really. We will win.”

1784. On Saturday May 1, 2021, Gallagher tweeted buy tout list: “Monday list . . . \$wtii big news coming!” and “...\$wtii . . . great green for me!”

1785. On Sunday, May 2, 2021, Gallagher tweeted a buy tout list: “This week good stuff! Small list! . . Bonus \$wtii. . .” and “its in there \$wtii massive news coming”.

1786. On May 3, 2021, Gallagher sold, undisclosed, 200,000 shares of WTII, 20% of his holdings of WTII, at prices from \$0.0271 to \$0.028 per share.

1787. On May 4, 2021, Gallagher sold, undisclosed, 100,000 shares of WTII, approximately 12% of his holdings of WTII, at \$0.029 per share.

1788. On May 4, 2021, Gallagher tweeted a buy tout list: “Wednesday list! . . . \$wtii news . . .” and, at 9:25 p.m., “\$wtii 7 days is tomorrow!! Let’s get that .25 news!!”

1789. On May 5, 2021, Gallagher tweeted: “\$wtii soon!!” The same day he sold, undisclosed, 200,000 shares of WTII, approximately 29% of his holdings of WTII, at prices from \$0.029 to \$0.0297 per share.

1790. On May 6, 2021, before the market opened, Gallagher tweeted: “\$wtii no

manipulation, I love it long waiting to see what all the good news is”. About three-and-a-half hours later, Gallagher sold, undisclosed another 400,000 shares of WTII, 80% of his holdings of WTII, at \$0.0229 per share.

1791. From July 20 to July 21, 2021, Gallagher bought 3,320,000 shares of WTII for prices from \$0.01246 to \$0.0182 per share.

1792. On July 21, 2021, after his purchase of WTII shares, Gallagher tweeted at about 10:41 a.m.: “\$wtii wink” and, at 10:45 a.m.: “Damn @[Associate C] is smart! Added as well \$wtii”.

1793. Gallagher has sent DMs to Associate C coordinating manipulation of issuers DKGR, DRNK, PHBI and GHST.

1794. On July 21, 2021, starting at about 10:52 a.m. Gallagher sold, undisclosed, 400,000 shares of WTII, approximately 12% of his holdings of WTII, at prices from \$0.018 to \$0.0184 per share.

1795. Before the market closed, Gallagher then bought another 810,000 shares of WTII for prices from \$0.0157 to \$0.0163 per share.

1796. On July 22, 2021 Gallagher tweeted: “\$wtii wait for it! Its coming!”; and “\$wtii I know! And i hear news coming!”; and “\$wtii I'm just adding and adding and .02 its such great value.”

1797. On July 23, 2021, Gallagher sold, undisclosed, 130,000 shares of WTII, approximately 3% of his holdings of WTII, at \$0.013 per share.

1798. On July 26, 2021, Gallagher tweeted: “\$wtii! Gonna be big!” Shortly thereafter Gallagher sold, undisclosed, 100,000 shares of WTII, approximately 3% of his holdings of WTII, at \$0.0133 per share.

1799. On July 28, 2021, Gallagher sold, undisclosed, 209,192 shares of WTII, approximately 6% of his holdings of WTII, at \$0.0112 per share. After the market closed Gallagher falsely tweeted: “\$wtii I bid sit and accumulating! Cheap. Love atmospheric tech.” In fact, at this time, he was selling shares of WTII, not accumulating them.

1800. On August 2, 2021, Gallagher responded to a tweet by saying: “\$wtii loading zone” and then tweeted “\$wtii DD check it out!” Gallagher then sold, undisclosed, 300,000 shares of WTII, approximately 9% of his holdings of WTII, at \$0.011 per share.

1801. On August 3, 2021, Gallagher sold, undisclosed, 200,000 shares of WTII, approximately 6% of his holdings of WTII, at \$0.012 per share.

1802. On Wednesday, August 4, 2021, Gallagher tweeted: “6 big green days in a row! Longs are paying off! Winners . . . \$wtii up 29%”; and, “Thursday list! . . . \$wtii water tech . . .”.

1803. On August 6, 2021, Gallagher sold, undisclosed, 300,000 shares of WTII, approximately 10% of his holdings of WTII, at \$0.012 per share.

1804. On August 9, 2021, Gallagher sold, undisclosed, 290,808 shares of WTII, approximately 11% of his holdings of WTII, at \$0.0113 per share.

1805. On August 10, 2021, Gallagher sold 200,000 shares of WTII, approximately 11% of his holdings of WTII, at \$0.0112 per share.

1806. On August 13, 2021, Gallagher sold, undisclosed, 800,000 shares of WTII, approximately 39% of his holdings of WTII, at prices from \$0.0119 to \$0.122 per share.

1807. While selling these shares on August 13, 2021, Gallagher tweeted: “\$wtii long here!”

1808. On August 14, 2021, Gallagher tweeted: “Holding \$wtii has massive potential”.

1809. On August 16, 2021, Gallagher sold, undisclosed, 102,594 shares of WTII,

approximately 8% of his holdings of WTII, at \$0.0115 per share.

1810. On August 19, 2021, Gallagher sold, undisclosed 1,000,000 shares of WTII, approximately 87% of his holdings of WTII, at \$0.011 per share.

1811. On August 20, 2021, Gallagher sold, undisclosed, his remaining 97,406 shares of WTII, at \$0.011 per share.

SCALPING OF XTRM

1812. Gallagher made approximately \$36,100 in net profits by engaging in a scheme to scalp the shares of Extreme Biodiesel, Inc. (“XTRM”) from July 28, 2020 through February 26, 2021.

1813. On July 27, 2020, Gallagher received two DMs from Associate XX: “Xtrm will be good flip” and “Yes xtrm flip .002 -.003”.

1814. On July 28, 2020, Gallagher bought 3,000,000 shares of XTRM for prices from \$0.0017 to \$0.0018 per share.

1815. On July 28, 2020, after his purchase of XTRM shares, Gallagher tweeted: “\$xtrm pre alert if you like early!” and “\$xtrm will be higher than now tomorrow.” He also tweeted to two twitter users: “SMART MAN! . . . \$XTRM”.

1816. On July 29, 2020, at about 9:38 a.m., Gallagher sold, undisclosed, 1,500,000 shares of XTRM, 50% of his holdings of XTRM, at prices from \$0.0025 to \$0.0027 per share.

1817. On July 29, 2020, after his sale of XTRM shares, Gallagher, starting at about 10:19 a.m., sent 7 tweets touting XTRM, including misleadingly tweeting: “Glad I bought \$xtrm yesterday!” While Gallagher had bought shares the prior day, he did not disclose that he sold half of his shares into his buy tweets hours earlier. T he same day, Gallagher also tweeted a buy tout list that included \$xtrm.

1818. On July 30, 2020, at about 1:32 p.m., Gallagher tweeted a buy tout list that included \$xtrm.

1819. On July 30, 2020, at about 12:50 p.m., Gallagher tweeted: “\$xtrm I sure hope you all bought Monday on my alert! 300%”.

1820. On July 30, 2020, starting at about 12:59 p.m., Gallagher sold, undisclosed, 500,000 shares of XTRM, 33% of his holdings of XTRM, at \$0.0051 per share.

1821. On July 31, 2020, Gallagher tweeted a buy tout list titled: “Spread the word! We all win!” that included \$xtrm.

1822. On August 3, 2020, Gallagher tweeted: “Must owns tomorrow . . . \$xtrm beast 50% runs everyday for a week! Contracts sales dollar bound!”

1823. On August 4, 2020, Gallagher tweeted approximately 17 XTRM touts, including “\$xtrm . . . ALL MUST OWNS TODAY!”

1824. On August 5, 2020, Gallagher sold, undisclosed, his remaining 1,000,000 shares of XTRM at prices from \$0.0251 to \$0.0252 per share.

1825. On September 2, 2020, Gallagher bought 700,000 shares of XTRM for prices from \$0.0105 to \$0.012 per share.

1826. On September 2, 2020, after his purchase of XTRM shares, Gallagher tweeted: “Alert!! \$xtrm before the 100% run!!”; and “Alert buy \$xtrm before close”.

1827. On September 2, 2020, Gallagher also tweeted: “Alerts were awesome today. \$xtrm up 80% after alerted . . .”. This is understood to be Gallagher claiming credit for his alert having raised XTRM’s price per share.

1828. On Wednesday, September 2, 2020, Gallagher tweeted a buy tout list: “Thursday list!!! Good stuff 1 \$xtrm is back . . .Excited for tomorrow some great new runners!! \$xtrm runs

to .06 this time!!!”

1829. On September 3, 2020, at about 7:54 a.m., Gallagher retweeted his tout list from the prior day: “Must own runners 1\$xtm . . .”.

1830. On September 3, 2020, starting at about 12:46 p.m., Gallagher sold, undisclosed, his remaining 700,000 shares of XTRM at \$0.0121 per share.

1831. On January 6, 2021, Gallagher bought 2,000,000 shares of XTRM for prices from \$0.0051 to \$0.0052 per share.

1832. On Wednesday, January 6, 2021, after he bought his XTRM shares, Gallagher tweeted: “WTF I am quietly loading \$xtm!!”; and “Again Im loading \$xtm quietly on this news please keep it down”; and, “Big green Thursday! . . . \$XTRM . . .”.

1833. On January 8, 2021, Gallagher tweeted: “These stocks will be big next week! You want these now! I’ll be talking these all weekend! . . . \$xtm . . . You may want in now!” The same day Gallagher sent DMs to various Twitter users, including Associate DD and Associate G: “xtm for next week”; and “xtm next week”; and “xtm next week load now”; and “xtm next week”; and “xtm load for next week”; and “XTRM NEXT WEEK”; and “xtm”.

1834. On Saturday, January 9 and Sunday, January 10, 2021, Gallagher tweeted approximately 20 touts for XTRM including: “\$xtm big news coming!!” and, “My focus Monday!! UPDATED . . . \$xtm news coming! . . .”.

1835. On January 11, 2021, at about 8:49 a.m., Gallagher falsely tweeted: “\$XTRM going to have a big day!! I will be adding some today . . .”. In fact, starting at about 9:49 a.m., Gallagher sold, undisclosed, 600,000 shares of XTRM, 30% of his holdings of XTRM, at prices from \$0.0102 to \$0.0105 per share.

1836. On Monday, January 11, 2021, after his sales of his XTRM shares, Gallagher

tweeted three more XTRM touts, including “\$xtrm!!! Hope your loaded 1”; and “Tuesday list!! you want to own now . . . \$XTRM . . .”.

1837. On Tuesday, January 12, 2021, at about 8:47 a.m., Gallagher tweeted: “Tuesday must owns . . . \$xtrm . . .”.

1838. On January 12, 2021, starting at about 12:45 p.m., Gallagher sold, undisclosed, 587,542 shares of XTRM, approximately 42% of his holdings of XTRM, at prices from \$0.0111 to \$0.0118 per share.

1839. On January 16, 2021, Gallagher tweeted: “\$xtrm is a great long hold they grow every qtr! I’m an investor.”

1840. On Sunday, January 17, 2021, Gallagher tweeted: “Low risk gains OTC stocks the best IMO . . . \$xtrm . . .”; and “Cheap OTC’s that will make you rich . . . \$xtrm . . .”.

1841. On January 21, 2021, Gallagher sold, undisclosed, his remaining 812,458 shares of XTRM at \$0.0056 per share.

1842. On February 18, 2021, Gallagher bought 1,000,000 shares of XTRM at prices from \$0.0091 to \$0.0094 per share.

1843. On February 18, 2021, after his purchase of XTRM shares, Gallagher sent DMs to Associate C and Associate D, respectively: “xtrm radio aler ttomorrow” and “byoc xtrm should be good tomorrow”. It is understood that Gallagher was coordinating with these Associates to buy XTRM shares in advance of his Twitter alert the next day, which was intended to raise XTRM’s share price.

1844. On February 19, 2021, Gallagher tweeted: “\$xtrm hmmm. many past alerts sub penny. holding and loving it!” and ““\$xtrm!!! I’d alert this!! but you already know this gold!” and “End of day buys IMO . . . \$xtrm . . . Must owns!”.

1845. On February 22, 2021, Gallagher retweeted Associate R's tweet touting \$XTRM.

1846. On February 24, 2021, Gallagher sold, undisclosed, 500,000 shares of XTRM, 50% of his holdings of XTRM, at \$0.014 per share.

1847. On February 26, 2021, Gallagher sold, undisclosed, his remaining 500,000 shares of XTRM at prices from \$0.009 to \$0.0091 per share.

VII. GALLAGHER'S FRAUDULANT ACTS VICTIMIZED RETAIL INVESTORS

1848. The AlexDelarge6553Victims@SEC.GOV email box has received dozens of emails from retail investors. Commission staff is in the process of contacting and interviewing these investors.

1849. The victims interviewed to date comprise novice, Main Street retail investors, including active duty and retired military, persons on limited incomes and of moderate means, elderly persons and persons with health concerns who are on disability. The victims cited fifty-four issuers they invested in based on the Alerts and recommendations of @AlexDelarge6553, including certain issuers Gallagher is charged with scalping herein.

1850. Gallagher's failure to disclose that he was selling or about to sell shares while encouraging his Twitter followers and readers to buy those shares was integral to his scalping scheme and harmed numerous investors.

1851. As reflected in the summaries of the victim's interviews with Commission staff, victims reasonably relied upon Gallagher's advice because he portrayed himself as an experienced trader willing to help others benefit from his knowledge, and victims reasonably trusted Gallagher based on his tweets that said he wanted to raise money to fight cancer and to help people make money.

1852. His victims believed the plain meaning of Gallagher's tweets: that Gallagher was

buying the shares of the issuers he recommended, was holding his shares in issuers he represented he was holding, and was not selling his shares when he was telling his followers they should buy shares in the same company.

1853. For example, Victim A works in the healthcare industry and is a novice investor who began trading during the pandemic. She began following @AlexDelarge6553 because he represented himself as a successful trader. She bought multiple tickers based on Gallagher's tweeting his "red Alerts" because she understood his alerts to mean that he was also buying the stock he was promoting. She also had confidence in Gallagher's alerts because he would retweet purported due diligence. She stated she lost "a few thousand dollars" as a result of investing based on Gallagher's tweets concerning OTC tickers BRLL, PDPR, SCIE, TSNP, among others.

1854. Victim B is a novice investor who described himself to the Commission staff as disabled. He bought stock based on Gallagher's "buy" recommendations because "Alex Delarge" acted like he knew the owners of the issuers he was recommending and would tweet that certain companies "had a bunch of potential". He bought stock when Gallagher tweeted his "red Alerts" and trusted Gallagher because he believed that Gallagher was "doing something good" by sharing investment tips. He sold his holdings when their value "plummeted" and he stated he lost approximately \$3,000.

1855. Victim C is a novice investor and on active duty in the U.S. armed forces. He learned about @AlexDelarge6553 when browsing Twitter and began investing based on Gallagher's alerts and recommendations because Gallagher gave the impression that he wanted to teach people investing strategies. He bought multiple securities based on "AlexDelarge's" alerts but each time immediately lost money on his investment. He stated he lost approximately \$20,000 which he had borrowed from a family member to invest in OTC tickers EHOS, IPWG,

SCIE, VXIT, among others.

1856. Victim C stated that he would have wanted to know that when Gallagher was recommending that people buy the Target Securities, Gallagher was selling or about to sell his own shares and that he would not have bought his shares if Gallagher had made that disclosure.

1857. Victim D is a novice investor who became aware of Gallagher's alerts in December 2020 and began buying stocks based on them and on Gallagher's representation that he was investing "for the long haul". He specifically remembers Gallagher tweeting that "it was a good idea to hold" a specific stock. He stated he lost in the range of \$25,000 as a result of buying on Gallagher's alerts regarding OTC tickers ENZC and HMDL, among others.

1858. Victim D stated that he would have wanted to know that, when Gallagher was recommending that people buy the Target Securities, Gallagher was selling or about to sell his own shares and that he would not have bought his shares if Gallagher had made that disclosure because it would revealed that Gallagher was not giving honest stock recommendations.

1859. Victim E has significant health challenges and survives on SSI Disability. In an attempt to improve her financial condition and assist her aged parents, she began buying stocks based on Gallagher's recommendations around the end of 2020. She understood his buy alerts to mean that he was also either buying or holding the shares he was recommending and alerting.

1860. For example, on February 9, 2021, Gallagher tweeted at least eight touts concerning OTC ticker IPWG ("International Power Group, Ltd.) including an "ALERT" and "Trust me! \$ipwg is a great buy right now!" The same day, Victim E bought 500,000 shares of IPWG. The next day, as Gallagher continued to tout the stock, she bought another 500,000 shares. On Monday February 15, by which point the stock had lost over 50% of its value, she sent a DM to Gallagher asking him, "Can you please tell me if you're still optimistic about

IPWG?” Gallagher responded, “yes its only been a few days! patience pays. If you afraid get out im in big with many million shares.” She responded “I have patience. I have 1.5 and in the negative big time so I can’t sell. I’ll hang in there.” Gallagher responded, “lets make some money!! big week ahead”.

1861. Gallagher did not disclose to this victim that he had bought his shares on February 5, prior to his touting the stock to his victims, at a price of approximately \$0.0006 per share. On February 5, 2021, Gallagher sent DMs to Associates coordinating loading up on the stock, writing for instance, “ipwg txtm ehos watch these blow up next week and weeks to come. Join the ride”. Gallagher started publicly tweeting touts the morning of February 9, including “\$IPWG CHALLENGE ALERT!!! I OWN AND LOVE THIS IMO THIS WILL RUN FOR DAYS!!”. The same day, taking advantage of IPWG’s over 900% price per share rise following his coordinated buying and his tweets, Gallagher began selling into his touts.

1862. By February 15, when Gallagher told his victim that “patience pays”, he had already profitably sold millions of shares of IPWG as part of his scalping scheme.

1863. The Commission issued a trading suspension against IPWG on February 26, 2021 due to suspicious trading activity tied to social media. On March 20, 2021, after her investment in IPWG had declined by approximately 90% in value, Victim E sent a DM to Gallagher: “Greetings Alex, any words on IPWG. I noticed there has not been any updates on Twitter, YouTube or yahoo finance. Is there still hope?” Gallagher responded by blocking Victim E on Twitter and blocking her DM messages.

1864. Victim E stated that she ended up losing nearly \$7,000, or three months of her savings, which she cannot recover, as a result of Gallagher’s scalping OTC tickers IPWG, MEDT, SCIE, and VXIT, among others. Gallagher’s net trading profits in IPWG while he was

scalping the stock were over \$38,000.

1865. Victim E stated that she would have wanted to know that when Gallagher was recommending that people buy the Target Securities, Gallagher was selling or about to sell his own shares and that she would not have bought his shares if Gallagher had made that disclosure because she trusted Gallagher and that would have revealed that Gallagher was misleading her.

1866. Victim F described himself to the Commission staff as a retired, disabled military veteran. He recalled tweets by Gallagher that said, “No, I still have all this” and “I’m holding”, which gave him the confidence to trust Gallagher and follow his recommendations. Although he stated he lost “only” \$200, being disabled and retired it was a significant loss for him. He invested in OTC tickers SCIE and TXTM.

1867. Victim F stated that he would have wanted to know that when Gallagher was recommending that people buy the Target Securities, Gallagher was selling or about to sell his own shares because he would have wanted to know that Gallagher was profiting at his expense; he further stated that he would not have bought his shares if Gallagher had made that disclosure because it would have showed that Gallagher was being manipulative and he would not have followed his lead.

1868. Victim G is a novice investor with a small business. He trusted Gallagher because he would tweet some research and background on the companies he was alerting and say things to the effect, “I’ll hold your hand and you’ll have some of the success I do”. Victim G stated he lost approximately \$12,000 as a result of buying based on Gallagher’s tweets regarding OTC ticker VXIT.

1869. Victim G stated that he would have wanted to know that when Gallagher was recommending that people buy the Target Securities, Gallagher was selling or about to sell his

own shares and that he would not have bought his shares if Gallagher had made that disclosure because it would have revealed that Gallagher's strategy was different from what he was telling his readers.

FIRST CLAIM FOR RELIEF
Violations of Securities Act Section 17(a)

1870. The Commission re-alleges and incorporates by reference here the allegations in paragraphs 1 through 1869

1871. Defendant, directly or indirectly, singly or in concert, in the offer or sale of securities and by the use of the means or instruments of transportation or communication in interstate commerce or the mails, (1) knowingly or recklessly employed one or more devices, schemes or artifices to defraud, (2) knowingly, recklessly, or negligently obtained money or property by means of one or more untrue statements of a material fact or omissions of a material fact necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, and/or (3) knowingly, recklessly, or negligently engaged in one or more transactions, practices, or courses of business which operated or would operate as a fraud or deceit upon the purchaser.

1872. By reason of the foregoing, Defendant, directly or indirectly, singly or in concert, violated and, unless enjoined, will again violate Securities Act Section 17(a) [15 U.S.C. § 77q(a)].

SECOND CLAIM FOR RELIEF
Violations of Exchange Act Section 9(a)(2)

1873. The Commission re-alleges and incorporates by reference here the allegations in paragraphs 1 through 1869.

1874. Defendant, directly or indirectly, alone or with one or more other persons: (1)

effected a series of transactions in any security registered on a national securities exchange, any security not so registered, or in connection with any security-based swap or security-based swap agreement with respect to such security; (2) creating actual or apparent active trading in such security, or raising or depressing the price of such security; (3) for the purpose of inducing the purchase or sale of such security by others.

1875. By reason of the foregoing, Defendant, directly or indirectly, alone or with one or more other persons, violated and, unless enjoined, will again violate Exchange Act Section 9(a)(2) [78i(a)(2)].

THIRD CLAIM FOR RELIEF
Violations of Exchange Act Section 10(b) and Rule 10b-5 Thereunder

1876. The Commission re-alleges and incorporates by reference here the allegations in paragraphs 1 through 1869.

1877. Defendant, directly or indirectly, singly or in concert, in connection with the purchase or sale of securities and by the use of means or instrumentalities of interstate commerce, or the mails, or the facilities of a national securities exchange, knowingly or recklessly (i) employed one or more devices, schemes, or artifices to defraud, (ii) made one or more untrue statements of a material fact or omitted to state one or more material facts necessary in order to make the statements made, in light of the circumstances under which they were made, not misleading, and/or (iii) engaged in one or more acts, practices, or courses of business which operated or would operate as a fraud or deceit upon other persons.

1878. By reason of the foregoing, Defendant, directly or indirectly, singly or in concert, violated and, unless enjoined, will again violate Exchange Act Section 10(b) [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5].

PRAYER FOR RELIEF

WHEREFORE, the Commission respectfully requests that the Court enter:

I.

A Final Judgment permanently, restraining and enjoining Defendant and each of his respective agents, servants, employees, attorneys and other persons in active concert or participation with him who receive actual notice of the injunction by personal service or otherwise, from any ongoing and future violations of Securities Act Section 17(a) [15 U.S.C. § 77q(a)], Exchange Act Section 9(a)(2) [15 U.S.C. § 78i(a)(2)] and Exchange Act Section 10(b) [15 U.S.C. § 78j(b)] and Rule 10b-5 thereunder [17 C.F.R. § 240.10b-5];

II.

A Final Judgment ordering Defendant to disgorge all ill-gotten gains and/or unjust enrichment received directly or indirectly, with pre-judgment interest thereon, as a result of the alleged violations, pursuant to Exchange Act Sections 21(d)(5) and 21(d)(7) [15 U.S.C. §§ 78u(d)(5) and 78u(d)(7)];

III.

A Final Judgment ordering Defendant to pay civil monetary penalties under Securities Act Section 20(d) [15 U.S.C. § 77t(d)] and Exchange Act Section 21(d)(3) [15 U.S.C. § 78u(d)(3)];

IV.

A Final Judgment permanently prohibiting the Defendant from participating in any offering of a penny stock, including engaging in activities with a broker, dealer, or issuer for purposes of issuing, trading, or inducing or attempting to induce the purchase or sale of any penny stock, under Exchange Act Section 21(d)(6) [15 U.S.C. § 78u(d)(6)]; and

V.

Granting any other and further relief this Court may deem just and proper.

JURY DEMAND

Pursuant to Rule 38 of the Federal Rules of Civil Procedure, Plaintiff demands that this case be tried to a jury.

Dated: New York, New York
June 29, 2022

/s/ Kevin P. McGrath

Thomas P. Smith, Jr., Acting Regional Director
Michael D. Paley
Kevin P. McGrath
Thomas W. Peirce (not admitted to SDNY)
Attorneys for Plaintiff
SECURITIES AND EXCHANGE COMMISSION
New York Regional Office
100 Pearl Street, Suite 20-100
New York, New York 10004-2616
212-336-0533 (McGrath)
Email: mcgrathk@sec.gov

ATTACHMENT A

CHART OF GALLAGHER'S NET PROFITS DURING THE ANALYZED PERIOD

	Issuer	First Trade Date Analyzed	Last Trade Date Analyzed	Estimated Net Profits for Period Analyzed ¹
1	HDII	12/24/2019	2/16/2021	\$77,500
2	SPOM	2/18/2020	2/24/2021	\$197,500
3	TLSS	4/29/2020	1/25/2021	\$40,900
4	INQD	5/22/2020	2/18/2021	\$36,300
5	UAPC	6/14/2020	2/26/2021	\$35,100
6	CGLD	6/26/2020	7/24/2020	\$13,300
7	ENZC	7/14/2020	3/19/2021	\$159,800
8	DSGT	7/14/2020	11/25/2020	\$20,500
9	JADA	7/20/2020	1/13/2021	\$4,700
10	XTRM	7/28/2020	2/26/2021	\$36,100
11	EVUS	8/5/2020	11/12/2020	\$2,700
12	GLCO	8/16/2020	8/19/2020	\$16,000
13	CMGO	8/25/2020	12/8/2020	\$6,000
14	CBBT	8/26/2020	2/26/2021	\$84,600
15	CBDD	8/26/2020	2/18/2021	\$36,800
16	DPLS	8/31/2020	7/28/2021	\$87,400
17	COUV	10/9/2020	2/25/2021	\$41,500
18	BRNW	10/27/2020	2/26/2021	\$29,600
19	TSNP	11/10/2020	2/5/2021	\$298,900
20	LFER	11/23/2020	2/17/2021	\$15,800
21	AFOM	11/30/2020	1/19/2021	\$46,700
22	EHOS	12/3/2020	2/19/2021	\$21,500
23	SCIE	12/6/2020	3/5/2021	\$22,000
24	ALPP	12/8/2020	3/11/2021	\$471,200
25	DCLT	12/9/2020	3/5/2021	\$7,000
26	MEDT	12/10/2020	3/19/2021	\$10,200
27	CSLI	12/14/2020	2/19/2021	\$11,800
28	BNGO	12/17/2020	2/4/2021	\$96,700
29	BMIX	12/21/2020	2/18/2021	\$56,500
30	PTTN	12/21/2020	2/17/2021	\$23,300
31	GTLL	12/24/2020	3/5/2021	\$27,900
32	BLSP	12/29/2020	3/15/2021	\$48,000
33	GHST	1/4/2021	1/7/2021	\$10,300
34	EVTI	1/6/2021	2/19/2021	\$24,200
35	BZWR	1/7/2021	9/20/2021	\$155,200
36	LMFA	1/8/2021	1/29/2021	\$41,400
37	CHNC	1/11/2021	2/19/2021	\$46,900
38	ATOS	1/19/2021	2/9/2021	\$53,500
39	ARST	1/19/2021	2/26/2021	\$14,200

	Issuer	First Trade Date Analyzed	Last Trade Date Analyzed	Estimated Net Profits for Period Analyzed ¹
40	TSOI	1/20/2021	3/5/2021	\$28,000
41	SHOM	1/25/2021	2/18/2021	\$46,800
42	INND	1/27/2021	2/19/2021	\$30,000
43	PDPR	2/1/2021	3/12/2021	\$114,300
44	NTLK	2/1/2021	2/19/2021	\$38,400
45	PHBI	2/1/2021	2/26/2021	\$31,700
46	TXTM	2/4/2021	8/9/2021	\$86,590
47	IPWG	2/5/2021	3/12/2021	\$38,500
48	BOTY	2/5/2021	2/23/2021	\$36,000
49	BFCH	2/8/2021	2/26/2021	\$55,600
50	BBDA	2/9/2021	2/19/2021	\$7,200
51	AZFL	2/10/2021	3/22/2021	\$6,700
52	DKGR	2/10/2021	2/19/2021	(\$4,500)
53	NOHO	2/23/2021	2/23/2021	\$28,200
54	DRNK	2/24/2021	5/11/2021	\$42,400
55	WTII	4/22/2021	8/20/2021	\$112,500
56	ASTA	7/27/2021	9/28/2021	\$46,500
57	CGAC	10/8/2021	10/13/2021	\$600
58	AHFD	10/12/2021	10/13/2021	\$1,700
59	GEGP	10/13/2021	10/13/2021	\$800
Totals				\$3,177,490

¹ Net profits have been revised from the initial Complaint for the following issuers BBDA, BFCH, BRNW, BZWR, DKGR, DPLS, DRNK, GHST, HDII, IPWG, LMFA, NTLK, PDPR, PHBI, SHOM, SPOM, TLSS, TXTM, WTII to remove profits from trades in accounts in the name of Gallagher's wife and son.